





States, this country has repeatedly declared its solicitude for the fate and welfare of the Armenian people, in a manner and to an extent that justifies you in saying that the fate of Armenia has always been of special interest to the American people.

#### Personal Mediation Offered

I am without authorization to offer or employ the military forces of the United States in any project for the relief of Armenia, and any material contributions would require the authorization of the Congress which is now in session and whose action I could not forecast. I am willing, however, upon assurances of the moral and diplomatic support of the principal powers, and in a spirit of sympathetic response to the request of the Council of the League of Nations, to use my good offices and to proffer my personal mediation through a representative whom I may designate, to end the hostilities now being waged against the Armenian people and to bring peace and accord to the contending parties, relying upon the Council of the League of Nations to suggest to me the advances through which my proffer should be conveyed and the parties to whom it should be addressed.

WOODROW WILSON.

#### Text of the Offer

The following is the text of the cable message to President Wilson from Mr. Hymans:

The Assembly of the League of Nations passed on November 22 a resolution couched in the following terms:

"The Assembly, anxious to cooperate with the Council in order to put an end in the shortest time possible to the horrors of the Armenian tragedy, requests the Council to arrive at an understanding with the governments with the view of entrusting a power with the task of taking the necessary measures to stop the hostilities between Armenia and the Kemalists."

The Council of the League has, after consideration, decided to transmit this resolution to the governments of all states members of the League and to the Government of the United States. The object is to find a power which will use its good offices to put an end as speedily as possible to the present terrible tragedy. The proposal does not involve any repetition of the invitation to accept a mandate for Armenia. While the Council does not wish to suggest the assumption of duties which might be unwelcome, it felt bound to offer to the United States the opportunity of undertaking this humanitarian task, seeing that the fate of Armenia has always been of special interest to the American people and that the President of the United States had already agreed to delimit the boundaries of that country. As the matter is of great urgency the Council ventures to ask for a reply within the smallest possible delay.

HYMANS,  
President of the Council of the League of Nations.

#### Intervention Proposed

#### Joint Anglo-American Action Is Plan Offered By League Assembly

Special to The Christian Science Monitor from its Eastern News Office  
NEW YORK, New York—Joint Anglo-American intervention to save Armenia has been proposed by the League of Nations Assembly, according to a message from Boghos Nubar, leader of the Armenian delegation at the Peace Conference, received here by the Armenia-American Society. He has cabled President Wilson urging him to support the plan.

Rear Admiral Mark L. Bristol, United States High Commissioner to Turkey, reports to the Near East Relief that relief resources in Constantinople are rapidly being exhausted and that \$5000 is needed at once to help the relief committee to relieve congestion by obtaining permanent homes for refugees away from the city. The Near East Relief has arranged to lend to the American Red Cross personnel, cash and surplus supplies for this work.

The Near East Relief has received cable messages from Armenia reporting the roads to Batum filled with fleeing women and children, and that swamped with hundreds of thousands of homeless, shoeless and insufficiently fed and clad wanderers. There are 8000 Greek refugees in the open fields about Batum, where they have been for several months.

In Armenia, American women and men relief workers have remained with the children under their care in Erivan, Kars, Alexandropol, and elsewhere. Some 53 Americans in Constantinople have been working with the sailors of the United States naval vessels to remove the children from the refugee ships from the Crimea. The Near East Relief bakery, with a capacity of about 75,000 pounds of bread per day, has been working day and night to supply bread to these refugees from South Russia.

#### DEBATE IN PRUSSIA ON HOHENZOLLERN

Special cable to The Christian Science Monitor from its Eastern News Office

BERLIN, Germany (Tuesday)—Much excitement developed in the Prussian Landtag today during a debate between Dr. Kauffmann and the speaker, Mr. Heilmann, over a bill providing compensation for the Hohenzollern family.

The Kaiser's income, Mr. Heilmann had pointed out, was already estimated at 23,000,000 marks, which, he said, was more than he received before the war, and he demanded a bill depriving the Hohenzollern family of this support.

Dr. Kauffmann declared the Kaiser and his family were above discussion in the Landtag.

## BRITISH COLUMBIA HOLDING ELECTIONS

Estimates of Results of Pooling Vary but There Is a Well Defined Feeling That There May Be a Change of Government

Special to The Christian Science Monitor from its Canadian News Office

VICTORIA, British Columbia—With 156 candidates in the field, representing over 20 different shades of political opinion, the provincial election campaign came to an end yesterday and voting to fill 46 seats in the Legislature took place today. One Liberal candidate, Dr. W. H. Sutherland, has already been elected by acclamation. For six weeks past, the Hon. John Oliver, the Premier, and his ministers, have been touring the country and have mainly concentrated their energies to defending the government's records at well-attended campaign meetings.

Special stress has been laid on the Liberal Party's record in having rehabilitated the financial credit of British Columbia, and everywhere, by the members of all parties, the promise has been made that the people's recent decision in favor of government control of the sale of liquor will be supplemented by legislation at the next session.

#### The Conservative Platform

W. J. Bowser, the leader of the Conservative Party, has had meetings equally as crowded and enthusiastic as those held in the interests of the government candidates, and during the course of the campaign he has visited most points in the Province. Some of the main planks in his platform have been the promise of a per capita grant out of provincial revenues, to the municipalities of the Province to enable them to redress the serious financial plight into which they have drifted during recent years.

He has promised a liquor bill, which will cater to the extremists of neither sets of opinions, on the subject of prohibition, and claims that, if he is elected, ample safeguards will be provided to prevent a resumption of wholesale drinking habits in the Province. He has bitterly assailed the government's record, making an especial claim that its policies in settling returned soldiers on the land and in dealing with the problem of the rehabilitation of these men has failed.

With the exception of one constituency, the Conservatives have candidates in the field all over the Province. A new feature in the political life of British Columbia is the presence of nine Farmer candidates in this election. Four of these are co-opted with the returned soldiers in their efforts to be returned to the Legislature. There are 14 Independent candidates in the field and 26 who are variously associated with Labor from its extreme to its more moderate viewpoints.

#### Prospects of Campaign

Estimates of the results of the election vary, but there is a well defined feeling that the government, if not defeated, will only have a narrow majority in the Legislature. The Conservative leader prophesies that his party will be returned to power, while the Independents are hopeful of securing 10 or 12 seats in the new House. In the last Legislature, there were 33 Liberals, nine Conservatives and five Independents, the latter being classified as covering every shade of political thought outside of the Conservatives and Liberals.

#### TRANSPORT WORKERS' CONGRESS IN 1921

Special cable to The Christian Science Monitor from its European News Office

GENEVA, Switzerland (Tuesday)—The international congress of the Federation of Transport Workers will take place at Geneva or Berne in 1921 and will discuss the question of entry into, or severance from, the Amsterdam Syndicalist Union, in order to adhere to the Third International at Moscow.

British, French, American and German Socialist parties will be represented at the international conference, which will commence on Monday at Berne. A Swiss subject, named Niquille, who has escaped from Russia, declares that the Soviet Government is retaining as hostages 26 Swiss in terrible conditions.

#### MEETING PERPLEXED AT VOTE IN AYLMER

Special to The Christian Science Monitor from its Canadian News Office

LONDON, Ontario—At the second meeting in Ontario of the Dominion Government tariff commission held here on Tuesday, the deputations heard included one from the town of Aylmer in Eastern Elgin, where a government supporter was recently defeated in a by-election by a Farmer advocate of low tariff. The town itself voted 2 to 1 against the protection candidate, but the Mayor, speaking for the whole town today before the tariff commission, urged that the policy of protection be maintained. Aylmer, he said, wants protection, but, for some reason he could not understand, voted against it. Even farmers in the vicinity of Aylmer, he said, were satisfied with the tariff. Farms had doubled in value.

The manager of a milk company told the commission that his company had established itself in Canada four years ago because of the protective tariff on milk. He declared that were it not for the protective tariff, the conditions of the milk market in the United States at the present time would mean the dumping on the Canadian market of huge quantities of American milk products, which would have a demoralizing effect on the Canadian market.

Referring to the by-election vote, the manager said: "They voted for protection for 29 years prior to this, and I think the result would indicate a period of unrest. I don't think they know what they want."

The city of London and manufacturers urged upon the commission a continuance of the present protective tariff. Two deputations, on the other hand, urged a tariff reduction; but asked if they had any plan for obtaining revenue if the tariff were abolished, they said they had none. The commission sits in Windsor on Tuesday.

## GREEK MINISTER AT PARIS RESIGNS

Mr. Romanos Attributes Mr. Veniselos' Fall Partly to Long Absence From Greece

Special cable to The Christian Science Monitor from its European News Office

PARIS, France (Tuesday)—One consequence of events in Greece is the resignation of Mr. Romanos, the Greek Minister at Paris. Immediately after the fall of Mr. Veniselos was known, he placed his post at the disposition of the new government, which has now accepted the resignation and will be provisionally represented by a chargé d'affaires, Peter Metaxas. Mr. Romanos expresses his thanks to the Greek authorities, whose confidence he enjoyed in Paris for 10 years.

During the war, for a period of six months, he declined to act for King Constantine, but continued to serve the Veniselist Government at Salonika. He feels that, in view of the active part he took in the events of 1917, he cannot be persona grata to the present government.

Addressing the French people, he declared that the elections show that the Greek people have committed a grave error, but he attributes the mistake purely to reasons of domestic politics. He cannot believe that the Greek people disapprove of the national policy of Mr. Veniselos and his magnificent results, which include the liberation of 2,000,000 Greeks.

Unfortunately Mr. Veniselos, for two years, has been absorbed by grave external affairs, and could not sufficiently control the administration, nor could he, being absent, prevent the venetian measures sometimes taken.

Mr. Romanos believes the new government to be sincere in assuring the Allies of its intention to follow toward France and England the same policy as that of Mr. Veniselos. If the Allies leave Smyrna and Thrace to Greece, Mr. Veniselos will undoubtedly quickly return to power. If they are taken away from Greece, French influence and the influence of all statesmen who have been attached to France, will be irretrievably shattered.

Thus the Allies would be making a serious blunder in turning towards Mustafa Kemal Pasha and away from the Greeks. The subject continues to fill the columns of the newspapers, which contain most contradictory accounts of the London interviews.

## COURT ENJOINS SALES OF LIQUOR

Special to The Christian Science Monitor from its Western News Office

CHICAGO, Illinois—Injunctions against 31 saloons, in addition to those granted last week, have been issued by Judge K. M. Landis in the United States Court, restraining them from selling liquor or in any way violating the provisions of the prohibition laws. Ten days are given the defendants to file their answers showing cause why the request of the Attorney-General to have the places closed as public nuisances should not be made permanent. Edward J. Brundage, Attorney-General, seeks to have the places closed for the period of one year as public nuisances, and any disregard of the temporary injunction makes the owners of the saloons liable to citation for contempt of court.

#### PLOTS IN BOLOGNA

Special cable to The Christian Science Monitor from its European News Office

ROME, Italy (Tuesday)—The "Tribuna" declares that the Bolsheviks at Bologna organized a plot in which three Hungarian Bolsheviks also participated. The Hungarians and five Bolshevik municipal councilors who are charged with complicity in a murder have been arrested by the police. The plot is alleged to have been directed toward the massacre of the monarchial councilors, who formed the minority.

#### BREAD PRICES REDUCED

Special to The Christian Science Monitor from its Eastern News Office

PROVIDENCE, Rhode Island—Practically all the large bakeries of the city have reduced the price of bread 1 cent a loaf. The pound loaf will retail at 11 cents while the 24 ounce loaf will be sold for 16 cents.

#### CHRISTIAN SCIENCE LECTURE

The First Church of Christ, Scientist, in Boston, Announces

## A Free Lecture on Christian Science

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## LITTLE ENTENTE AS A DEFENSIVE PACT

Alliance Is to Safeguard the Integrity and Independence of the Parties Thereto, in View of Hungarian Interference

By special correspondent of The Christian Science Monitor

LONDON, England—The same political facts which torpedoed French designs in central Europe have, in their turn, largely contributed to the formation of what has been generally dubbed "The Little Entente," writes W. Crawford Price in a special article to The Christian Science Monitor. This consists of a formal alliance between Czechoslovakia and Jugoslavia, which enjoys the pledged support of Rumania, and which, it is hoped, will become the basis of co-operation between all the states of central and southeastern Europe. It is desirable, therefore, that its importance should be widely recognized and its objects thoroughly understood.

In the first place, it must be emphasized that the alliance is a purely defensive pact, drawn up with the intention to safeguard the integrity and independence of the parties thereto—this principally in view of the persistent attempt of the Budapest Government to meddle in the internal affairs of these countries. It is no longer a secret today that, with the ultimate object of regaining possession of territories latterly under their jurisdiction, the Magyars have been conspiring to attack their neighbors; it is also well known that, using the Bolshevik danger as a pretext, they have endeavored to obtain the allied consent to an increase of their armed forces, and thus to override Article 103 of the Trianon treaty. Furthermore, the Magyars have been secretly employing hired agents to stir up discontent in Slovakia and Transylvania.

#### Magyar Aims

The aim of Magyar propaganda is to sow dissensions between the Czechs and the Slovaks by means of false Slovak journals and pamphlets, and a system of espionage has also been organized in certain districts. Altogether 3640 agents were sent out to Slovakia, whose object it was to spread propaganda in favor of the reestablishment of the former kingdom of Hungary and also to ascertain the strength of the military forces of the Czechoslovak Republic. Magyar propaganda also exploited the religious sentiments of the Slovaks and Transylvanians. In addition to all this secret activity and preparation of a military nature, declarations by leading Slovak politicians led no doubt as to the real intention of the Hungarian Government. They openly declared their desire for a restoration of the former Hungarian kingdom—a declaration which in itself entailed a threat to all their neighbors.

The Magyar press does not hide its sympathies with Germany, or even, indeed, with the fugitive Emperor himself. Dr. Müller, the German Minister for Foreign Affairs, stated on January 23 last: "If we hope that force of circumstances and future evolution will bring us a revision of our treaty, we wish the same also to the Magyars. We know that the Magyar people constitute one of the pillars of European equilibrium, and we hope that they will obtain such a position as is their due."

#### Peace Not Durable

Baron Richtofen, the German Democratic leader, has also declared that he cannot imagine that the peace concluded in the Near East can be durable, and he assured Hungary that she may rely upon the sympathy of Germany. For these and other reasons Czechoslovakia and Jugoslavia, Rumania and also Austria, continue to distrust Hungary, and it will, therefore, be understood why the three former countries have considered it necessary to come to a common agreement of a defensive nature against such dangers as may arise through offensive actions on the part of Hungary.

Another motive for the conclusion of the agreement lay in the danger of the reestablishment of the old Austro-Hungarian system under the cloak of a Danubian federation. Efforts to this end were only to be counteracted, in the opinion of these three states, by immediate friendly cooperation on the basis of absolute equality. The agreement was destined, at the same time, to facilitate a return to normal conditions and the promotion of mutual trade relations, and it, therefore, finally disposes of all the western European schemes for a federation of the Danubian states. As a matter of fact, the interests of the Balkan and Danubian states have become so closely interwoven that anything done within one group must naturally react upon the other.

#### Rumania's Attitude

It now becomes advisable to consider why Rumania has not entered unreservedly into the new triple entente, and what are the probable future developments. In so far as the alliance is directed against the Hun-

garian menace—and that is its main purpose—it is assured of the wholehearted support of Rumania. Rumania, however, wishes to go further, not only because French influence is still powerful in Bucharest but also because she has, so to say, one leg in the Danube and the other in the Balkans.

These influences are understood the more clearly when we remember that while Czechoslovakia not unnaturally regards Poland as well as Hungary with distrust, and has always in mind the possibility of a Polish-Magyar combination directed against her, Rumania has nothing to fear from Warsaw, and is indisposed to quarrel unnecessarily with one of the pet protégés of France. On the other hand, Bulgaria, while busily trimming her sails to enter the Slavonic haven, has concentrated her irredentist aspirations against Rumania and (principally) against Greece. Thus, while Czechoslovakia has nothing, and Jugoslavia little, to fear from Bulgaria, Rumania cannot afford to remain indifferent to any possibility of hostile action against herself or Greece. Hence Take Jonescu insists that Greece must be brought into any arrangement which binds Rumania to definite action.

The probabilities are that the entente, if not the formal alliance, will be extended to include Czechoslovakia, Jugoslavia, Rumania and Greece. Its constitution will be elastic and its objects, while originally dictated by the Hungarian menace and the proposed Franco-Magyar Danubian Federation, will be extended to resist any attempt of the former enemy states to interfere with the application of the peace treaties. The cooperation of Poland will probably be welcomed as a sign that her passion for continued aggrandizement has evaporated and that she is ready to settle down to cordial relations with Czechoslovakia.

Austria must necessarily remain outside of any scheme until her future status has been clearly resolved; Hungary has much animosity to live down before she can be regarded as a friendly neighbor; while Bulgaria will need to establish confidence in her attitude toward Greece and Rumania. It is all, of course, the old diplomacy over again, but until the new methods prove their worth in actual practice (and one might add, until the great powers set an example in their application), one is compelled to welcome any negotiations which have for their objects the preservation of peace and the completion of the work of reorganization left so unfinished by the Paris Conference.

## MR. BOLLING AIDED HIS FRIENDS ONCE

Shipping Board Treasurer Denies Receiving Bribe or Sharing \$40,000 Gratuity—Charge Against Mr. Sands Repeated

Special to The Christian Science Monitor from its Eastern News Office

NEW YORK, New York—Under cross-examination yesterday by Joseph Walsh, chairman of the Congressional select committee investigating Shipping Board operations, R. William Bolling, President Wilson's brother-in-law and treasurer of the Shipping Board, said that in one instance at least he had aided his friends in Shipping Board matters, but he denied emphatically that he had shared in the \$40,000 gratuity alleged to have been paid by the Downey Shipbuilding Corporation for influence in procuring contracts from the Board.

Mr. Bolling repeated before the committee the counter charge against Tucker K. Sands, formerly an official of a Washington, District of Columbia, bank, whose testimony involved Mr. Bolling in the shipping scandal. Mr. Bolling said that Mr. Sands had charged him with having received part of the \$40,000 said to have been given as a bribe because he, Mr. Sands, was angry with him for having refused to use his influence to quash an indictment against the banker.

#### THE CYPRESS MARKET

Special to The Christian Science Monitor from its Southern News Office

JACKSONVILLE, Florida—Stabilization of the cypress market is certain to come, and in orderly fashion, according to J. J. Wigginton, chairman on market conditions and trade extension, before the annual convention of the Cypress Association, which met in Jacksonville.

## GREAT GRANDMOTHER'S SEWING BIRD



An interesting reproduction of an old time useful article. Silver plated bird clamps firmly on table holding one end of sewing in mouth; 4½ in. high with plush needle and pin cushions. A delightful sewing gift. Z696. 1.25. Mailing charges prepaid.

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## SUPREMACY IN GAS WARFARE AIM

Training to Point Where It Is Impossible for Any Nation to Have Gone Further Is Purpose of United States Army

Special to The Christian Science Monitor from its Washington News Office

WASHINGTON, District of Columbia—Training in gas warfare "to the point where it is impossible for any nation to have gone further" is the aim of the Chemical Warfare Service for the future, according to the annual report of Brig.-Gen. Amos A. Fries, chief of that service. The report was made public yesterday.

"The world war demonstrated that an enemy bent on aggression cannot be trusted to live up to any set rules of war. Methods of warfare develop just as all peaceful pursuits develop and they will continue to do so until such time as the nature of mankind as a whole has so changed that wars can be relegated to the past," says Brigadier-General Fries.

"The United States has wisely decided to continue the Chemical Warfare Service with sufficient powers and with sufficient funds to develop its possibilities, not for aggression in any way whatsoever, but to insure that if American boys must ever again shoulder arms in defense of the liberties of their country they will do so on an equal footing with any other nation so far as chemical warfare is concerned.

"The American is truly a sportsman, and in war, as in sport, he is perfectly willing to stand any punishment providing he has an opportunity to give as well as take. The really serious objections to chemical warfare in the world war arose from the fact that the central empires, as well as most other countries, except the United States, had agreed not to use it. Under such circumstances a real sportsman who lives up to his agreement suffers a terrific handicap. No such handicap can occur in the future, with the Chemical Warfare Service thoroughly alert to the possibilities of that arm, and given funds and power to prosecute its research, its development and its training to the point where it knows that it is impossible for any other nation to have gone further. The knowledge among other nations that the United States is doing this will go a long way toward deterring them from forcing hostilities, knowing that the United States with its incomparable natural resources and highly developed manufacturing possibilities will be able to manufacture and deliver on the battlefield a greater quantity of chemicals than any other single nation, or indeed any other group of nations."

## PERMITS FOR POWER PROJECTS SOUGHT

Special to The Christian Science Monitor from its Washington News Office

WASHINGTON, District of Columbia—Applications for permits for 105 power developments have been filed with the Federal Power Commission, it was announced on Tuesday, this number covering all applications up to November 27. Of the total, 11 were filed during the week which ended on that date.

The total horsepower involved in the first 99 applications, eliminating all duplications, is 7,726,000, it was said, of which 4,790,000 is involved on navigable rivers, and the remaining 2,936,000 on public lands and reservations.

A number of large developments in California are included among the projects brought before the commis-

sion within the last week. One of these calls for the building of five dams, reservoirs and conduits and four power houses along Kings River, California. The project is proposed by the Department of Public Service of the city of Los Angeles, and is expected to develop about 200,000 horsepower.

The Nevada-California Power Company plans to build two power houses, with dams, reservoirs and conduits on Leveing creek, Mono County, California, and two power houses with diversion dams, reservoirs and conduits on Bishop creek, Inyo County, California. The Southern California Edison Company plans to build seven dams and reservoirs, six diversion dams, 12 conduits and five power houses on the San Joaquin River. Eight of the 11 projects last week are in California.

The commission, at its latest meeting, formally approved an opinion rendered by its chief counsel regarding revocation of the permit granted the York Mining Company for failure to use it. The chief counsel held that revocation of the permit was a matter for the Secretary of Agriculture, rather than the Federal Power Commission.

## RAILWAYMEN TO ASSIST STRIKERS

International Conference Votes Assistance to Scandinavian Workers in Coming Strike

Special cable to The Christian Science Monitor from its European News Office

LONDON, England (Tuesday)—A resolution was passed at the second day's proceedings of the international conference of railwaymen's representatives, empowering the general council of the International Federation to take all such measures as might be useful in helping railwaymen in Sweden and Norway in the strike to be declared tomorrow in those countries.

The session opened at Unity House, the railwaymen's headquarters, this morning, when Mr. Beuwers of Belgium read a telegram stating that Belgium had commenced prosecution against railwaymen who refused to handle munitions of war destined for Poland. J. H. Thomas, the chairman, proposed that a resolution of protest be directed from the conference to the Belgian Government, which was agreed. Among the matters dealt with, automatic couplings were discussed as a prevention against accident, Mr. Bidegray of France raising the question.

A resolution was passed urging upon the respective governments the necessity of adopting all safety appliances to reduce fatalities and accidents on railways. The conference concluded at midday.

#### SOCIALISTS SPLIT IN ITALY

Special cable to The Christian Science Monitor from its European News Office

ROME, Italy (Tuesday)—The proposals put forward at the Socialist congress at Imola on Sunday to preserve the unity of the Socialist Party failed completely. Certain groups, whose tendencies are Communist, will now proclaim their separation from the Socialist Party proper. Among the Communists will be the Florence group.

#### BARCELONA'S FINANCIAL CRISIS

Special cable to The Christian Science Monitor from its European News Office

MADRID, Spain (Tuesday)—The Ministerial Council has decided to give to the Bank of Spain a guarantee in order to improve the financial situation in Barcelona, where a textile crisis is threatened which will affect other national industries. The official journal publishes an increase in the custom duties on some articles imported.

### A Tailored Effect

We suggest button pumps to go with tailored attire. They give a final touch of elegance to clothes that fit snugly with a graceful sweep of line. There is a smack of Parisian in the shortish vamp and high arch. The tailoring of the shoe around the stocking heightens the effect of a pretty arch.

THE CHATEAU  
Fashions newest for foot attire. The Chateau Button is distinguished by a shortish vamp with a Parisian strap effect. Quaintly novel in style.

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## PRICE STABILIZING FOR FARM PRODUCTS

South Dakota Legislature Has Adopted Plan Now Submitted to United States Congress in Hope of Improving Situation

Special to The Christian Science Monitor from its Western News Office

**SIOUX FALLS, South Dakota**—Stabilization of prices of staple products has long been an aggravating question to legislators, and a plan devised by W. H. Lyon of Sioux Falls, has met with so much favorable criticism that he has presented a memorial to Congress. This plan was adopted by the House of Representatives at the recent special session of the South Dakota Legislature without a dissenting vote, and also by the state Senate. This memorial was also unanimously approved by the board of county commissioners and the directors of the farm bureau for this district.

Mr. Lyon has recently issued the following explanation of his plan: "The bountiful crop raised by farmers in response to the demand for greater production has proven little short of a calamity for agriculture. The farm value of the entire potato crop of the United States does not equal the value of the seed planted, to produce the crop. Seed flax was worth from \$5 to \$6 per bushel at seeding time and the new crop sells for about \$2.75. Seed oats were worth from \$1 to \$1.10 per bushel and the new crop brings about 40 cents. A large portion of farm tenants are unable to pay their cash rentals and few farm owners will realize a sufficient profit to pay the interest upon even the prewar value of their farms. Farm boys are naturally discouraged and instead of responding to the call of 'back to the farm' are beginning to say 'me for the city.' Farmers who have enough to stick to the job will not endeavor to produce a maximum yield but will generally attempt to raise only what they can produce themselves and will not run the risk of bankruptcy by employing high-priced help.

### Cities' Food Problem

"More than one-half the population of the United States now reside in cities. If present conditions continue and cities become short of food because farming has become unprofitable will anyone say that the farmer is to blame? Other lines of business know in advance the approximate prices they can obtain for their products, but when the farmer plants his crops or begins preparing his stock for market he has no assurance that his products, the most important of all, being absolutely necessary for the existence of humanity, will even repay the actual cost of production. Agriculture and stock raising are so widely extended and diversified that it is impossible for those engaged therein to control the prices of their products and every attempt to do so has proven a disastrous failure so far as I am aware. The southern wheat producers a few weeks ago declared that the average cost of raising a bushel of wheat is \$2.77 and formed an association for the purpose of obtaining \$3 per bushel, but the prices have since dropped approximately 75 cents a bushel.

"Under present conditions the tenants and those in financial distress who need the highest prices are obliged to sacrifice their products for the lowest prices. It is certainly a disgrace to a civilized nation to permit the price of wool, cotton, and farm products to be fixed or manipulated without regard to the cost of production, and yet under the present system boards of trade are a necessary evil and but for them conditions would probably be far worse than they are. "In view of these well-known facts, is it not remarkable that no attempt has been made to stabilize the price of farm products except during the late war, and is it not just as important that food be produced and our people fed in times of peace as in time of war? If the prices of wool, cotton, and staple farm products were stabilized it would promote the stability of business to a remarkable degree. It millers, linseed oil makers, wool, cotton, oatmeal, breakfast food and glucose manufacturers could be assured of a stable price for raw materials during the year, gradually increasing a little each month to cover carrying charges, it is self-evident that they could eliminate the tremendous risks of business that now result from price fluctuation and could conduct their business far more safely and upon a smaller margin of profit than at the present.

### Advance Knowledge Factor

"If farmers could be assured in advance the minimum price they would receive for their products, they would know how to utilize their farms and their own ability to the best possible advantage. Instead of dumping their grain onto market as soon as threshed, for fear of lower prices, thereby congesting the elevators and railroads, there would be

some inducement to hold grain back until required by the normal demands of trade. The longer the farmer would retain his crops the less storage he would have to pay and the more nearly the guaranteed price he would receive for his products, which would have a stable value while in his own granary and be free from fluctuation in price.

"When the farmer wishes to sell his crop, if unable to obtain a satisfactory price, he can store it in an elevator or warehouse, licensed and regulated by the federal government and take his storage check to his local bank for discount. The bank will know that this storage check is practically an obligation of the federal government which at the specified time and place will pay the stipulated price for the product it still on hand. The bank, therefore, will deduct interest, for the use of the money and also for the necessary transportation and carrying charges, and advance the balance of the guaranteed price to the producer. Undoubtedly some practical method will be devised whereby the federal reserve bank can finance the entire crop movement without crippling local banks as is now the case. There can be no better security on earth than warehouse receipts covering food products that must be consumed if humanity is to continue to exist. The guarantee of a minimum price will automatically eliminate all gambling and speculation in such products below the guaranteed price, but will not interfere with the otherwise usual course of trade.

### Commission of Experts

"Under the proposed plan the President would appoint a commission of experts fairly representing not only the producing but the consuming public, and prices would be based upon the average cost of production together with a reasonable profit. The national government would not purchase the entire crop, but would simply guarantee a minimum price for the surplus, if any remained on hand at certain terminals shortly before the new crop comes in. In the case of wool, flax, rice, sugar and other products, which we do not export, in the ordinary course of trade upon the basis of the guaranteed price, less transportation and carrying charges.

"The government, therefore, would have no surplus to take over, but the guaranty to purchase the surplus if any would stabilize the price of the entire crop. It necessarily follows that the government should provide a flexible tariff to be levied upon imports unless intended for exportation so as to prevent the influx of cheaper foreign products and thereby dump the domestic product upon the government at the guaranteed price. If by any possibility the price of wheat or other crops of which we ordinarily have a surplus, should be fixed so high that exportation would be impossible, the price fixing committee would probably reduce the guaranteed price for the following year and increase the price of other products such as flax, sugar, rice and wool, in which a shortage has always heretofore existed. In a comparatively short time this plan would undoubtedly result in providing sufficient domestic sugar product for home consumption and would not only save this country hundreds of millions of dollars now spent for foreign sugar, but would reduce the amount of other surplus products which we cannot profitably export.

"The national government would, of course, take charge of the exportation of any surplus taken over by it, and assume the profit or loss involved. As the national government has already made a profit of nearly \$100,000,000 from the wheat purchased from the farmers at from \$2 to \$2.26 per bushel, it could well afford to stand the possibility of a comparatively small loss in the exportation of any surplus remaining under the proposed plan, in case such exportation should be deemed advisable. The wheat price guaranteed by the United States would then be the minimum standard of the world and our wheat growers would not be dependent upon the Liverpool market, as they are today. It is possible that additional terminal storage facilities may be required as demanded by our nonpartisan league friends, but these should be provided by the nation rather than by individual states. The stabilization of the price of staple farm products will not only be a Godsend to agriculture in every state in the union, but have a tendency to stabilize the cost of production of all manufactured products dependent upon agriculture. "If this plan meets the general approval of farmers as well as the business world in general, Congress regardless of its political complexion will undoubtedly pass the necessary legislation without delay."

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## TREATY PARLEYS OFFERED MEXICO

Negotiation of Concrete Agreement Embodying Pesqueira Proposals Prerequisite of Recognition by United States

Special to The Christian Science Monitor from its Washington News Office

**WASHINGTON, District of Columbia**—Before the United States Government recognizes the Mexican Government, there must be enacted a definite, concrete treaty of friendship embodying those fundamentals which were formulated and enunciated by Roberto V. Pesqueira, the special envoy of the Mexican Government, in his letter of October 26 to Bainbridge Colby, Secretary of State.

The enactment of such a treaty is the sine qua non of recognition, it became known last night, when the Secretary of State handed to the press the letter which he wrote last week to Mr. Pesqueira and which the latter took with him to Mexico City for the consideration of Gen. Alvaro Obregon, who succeeds to the Mexican presidency today. The letter of Secretary Colby is to be made public in Mexico City this morning. Secretary Colby's letter points the way to friendly relations and prompt recognition. It is simply this: The Mexican Government is advised immediately to appoint commissioners to act with commissioners representing the United States in framing a treaty which shall constitute a contract obligating the Mexican Government to protect vested interests within the Republic and repudiate completely and finally the various executive decrees whereby a retroactive effect was given to Article 27 of the new Mexican Constitution.

### Treaty Form Insisted On

The letter to Mr. Pesqueira did not in any sense constitute recognition. In the way of guarantees for the future, the letter, in proposing that the promises made be put in the form of a contract, goes further than anything that the State Department had intimated. The State Department in effect declares that promises are all very well and accepts their bona fide character, but deems it imperative that they be embodied in treaty form. The effect of this would be that the treaty would constitute a law which for the future would supersede whatever interpretations were given to Article 27 and the decrees issued under it, which this government held to be of a confiscatory character. Secretary Colby expressed complete satisfaction with the nature of the promises and fundamentals adumbrated by Mr. Pesqueira and the proposals made by the latter for appointment of a commission to pass on American property losses in Mexico and for improving the existing machinery of arbitration between the two countries.

The letter is in effect addressed to President Obregon, the State Department having taken care that its contents should not be made public until the de la Huerta regime had come to a close. The feeling in State Department circles is that the new President of Mexico will avail himself of the recommendations by the Secretary of State and lose no time in appointing commissioners to enter into formal negotiations with United States commissioners. Once more the entire matter is up to the Mexican Government.

### Text of Letter

Following is the text of Secretary Colby's letter:

November 25, 1920.  
My dear Mr. Pesqueira:  
The conversations which we have had since the receipt of your notable letter of October 26, I am very pleased to say, have been entirely in keeping with the spirit and tenor of the expressions it contained, and have quite confirmed the agreeable anticipations it aroused.

I think I may say, as one of the results of these discussions, that no doubt can reasonably be entertained

of the high enlightened purposes that actuate the present government of Mexico, and I am fully persuaded that you realize the friendship and disinterestedness toward your country which animate this government.

We have not required the assurances, so unqualifiedly given in your letter, of Mexico's regard for the discharge of her obligations, and of her respect for the principles of international law. Your suggestion of a joint arbitration commission to adjudicate the claims presented by citizens of other countries for the damages sustained as a result of disorders in your country, and the further proposal to enlarge and strengthen existing treaty provisions for the arbitration of all controversies, now pending, or which may arise between our respective nationals, bring convincing proof to your declarations, if that were needed.

### Effect of Article 27

You refer at length to the misunderstanding that has arisen, and which has widely prevailed, as to the true scope and effect of Article 27 of the Mexican federal Constitution. That such misunderstanding has existed and has exercised an unfortunate restraint upon the impulses of friendly governments, in their desire to cooperate with the Mexican people in the recovery of the full measure of their material strength and prosperity, cannot be denied. But I can conceive of nothing better calculated to correct this misunderstanding and to allay the fears of those who have acquired valid titles, or who have made substantial investments in conformity with Mexican law, and in reliance upon its protection, than the statements of your letter referring to the declarations of President-elect Obregon to the effect that Article 27 "is not and must not be interpreted as retroactive or violative of valid property rights."

The interest of other nations in this subject should not, and I am convinced it is not, attributed to any desire to influence or interfere with Mexico in the adoption and pursuit of any policy with regard to its lands and resources, which expresses its aspirations and satisfies its people. Indeed, I may remark that there is wide sympathy for the apparent desire of your country to inaugurate a policy which shall protect its great resources against waste, dispersal or other improvident treatment. The freedom to do this, which no one can dispute nor even criticize, is in no sense compromised by the due respect for legally vested interests, which you so fully avow, with a convincing sincerity which is beyond question.

It only remains to give these understandings a form which is usual in dealings between friendly states, and I have the honor to suggest, as our fruitful discussions draw to a close, that commissioners be promptly designated by both Mexico and the United States to formulate a treaty, embodying the agreements which have been reached as the result of your successful mission.

I am, my dear Mr. Pesqueira, Sincerely yours,  
BAINBRIDGE COLBY.

### No Official Representation

**WASHINGTON, District of Columbia**—If George T. Summerlin, United States Chargé d'Affaires at Mexico City, attends the inauguration of President-elect Obregon, today, it will be in an unofficial capacity. The State Department has instructed Mr. Summerlin to acknowledge receipt of the invitation to attend the ceremony, but to make it plain that he cannot attend in his official capacity, though he will be pleased to do so unofficially. The governor of one of the American states invited to attend the inauguration made inquiries of the State Department as to the propriety of his attending in view of the fact that the United States had not recognized the new Mexican Government. He was told that his presence might be misconstrued, but that the State Department would not presume to tell the governor of a state what he should do. The name of the governor was not made public and officials said they did not know whether he had gone to Mexico.

## GREECE APPROVES LABOR PROGRAM

Draft Conventions of International Conference Ratified by Government, Report Says

Special to The Christian Science Monitor from its Washington News Office

**WASHINGTON, District of Columbia**—The American correspondent of the International Labor Office, Ernest Greenwood, has received a cable message announcing that the Government of Greece has officially notified the secretary-general of the League of Nations of the ratification of the draft conventions adopted at the International Labor Conference in Washington in November, 1919. This is the first time any government has adopted, en bloc, the findings of an international conference without power to impose its decisions on its members. Mr. Greenwood stated.

The legislation adopted by this ratification includes the draft convention concerning unemployment, which requires the member ratifying it to establish a system of free public employment agencies under the control of a central authority; and for the operation of a national system which will be a coordination of both public and private free agencies, gradually eliminating all private fee-charging agencies. One of the conventions has specifically to do with the welfare of women in industry.

Among the other conventions adopted by the Greek Government is the one which limits the hours of work in industrial undertakings to eight in the day and 48 in the week. It will be recalled, however, that while this convention provided that each member ratifying it is required to bring its provisions into operation not later than July 1, 1921, an exception was made in its application to Greece, the date being extended to July 1, 1923, in the case of such industrial undertakings as tanneries, paper mills, saw mills, surface mining, etc.; and not later than July 1, 1924, in the case of mechanical, constructional, textile, food, chemical, paper, clothing, wood-working and electrical industries and transportation by land.

The two remaining draft conventions have to do with the welfare of children.

### Support for Mr. Venizelos

**SPECIAL TO THE CHRISTIAN SCIENCE MONITOR FROM ITS EASTERN NEWS OFFICE**  
**SPRINGFIELD, Massachusetts**—Reaffirmation of their confidence in and support of former Premier Venizelos of Greece and a protest against the return to the throne of King Constantine were made at a meeting of 500 Greeks of this and nearby cities, who, at the same time, voted to organize a local society of Greek republicans. The meeting adopted resolutions of faith and support which were cabled to Mr. Venizelos and sent to the President of the United States and the premiers of Great Britain and France.

## COURT CONTINUES RATE INJUNCTION

**SPECIAL TO THE CHRISTIAN SCIENCE MONITOR FROM ITS EASTERN NEWS OFFICE**  
**NEW YORK, New York**—The temporary injunction restraining railroads from raising intrastate passenger rates in accordance with the order issued by the Interstate Commerce Commission has been continued pending



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trial, in the state Supreme Court, of the state's Attorney-General's claim that the federal commission has no power over rates within a state. Both sides will file briefs on December 11. Meanwhile the roads are obeying the order. Their attorneys claim that the Attorney-General has no power to bring action on behalf of the people. Whatever the state court's ruling, the case will probably be taken to the United States Supreme Court for a final decision.

## Rate Increase Suspended

Special to The Christian Science Monitor from its Washington News Office

**WASHINGTON, District of Columbia**—The Interstate Commerce Commission has issued orders suspending from December 1 to March 31, 1921, certain tariffs which seek to increase the rates on fuel and pulpwood and wood bolts in certain northwestern states; and rates on sulphur from Louisiana and Texas to various destinations. The commission also suspended until March 31 schedules containing changes regulations governing reconstructions of fruits and vegetables shown in various tariffs. Tariffs providing increased demurrage charges and cancellation of nominal allowances are also suspended for the same period on certain lines.

## Illinois Rates Advanced

Special to The Christian Science Monitor from its Western News Office

**CHICAGO, Illinois**—Railroad passenger rates in the State of Illinois are raised to 3.6 cents per mile. A temporary injunction has been granted by George A. Carpenter, federal judge, by which 14 railroads operating within the State are permitted to raise their rates from 3 cents to 3.6 cents per mile. Arguments to make the injunction permanent will be heard in 10 days, and other roads operating in the State are expected to file petitions for similar injunctions. Attempts by the Attorney-General, Edward J. Brundage, to enforce the State law which sets the railroad fare rate in Illinois at 2 cents per mile were stopped by an injunction of the federal courts some months ago, and the rate set at 3 cents per mile.

## SPECIAL SESSION CALLED

**BOSTON, Massachusetts**—Gov. Calvin Coolidge has called the members of the General Court to meet in special session on December 7, to consider the report of a special legislative committee on revision and consolidation of the general laws of the Commonwealth.

## LABOR COUNCIL FOR INDUSTRIAL UNIONS

Special to The Christian Science Monitor from its Eastern News Office

**NEW YORK, New York**—The United Labor Council of Greater New York, claiming to represent 50,000 workers, has adopted a program of industrial unionism and urges the abolition of craft union organizations. Resolutions just adopted say: "We endorse and spread among our members the economic doctrine of the class struggle. The workers should should give up the old organization into crafts and unite by industries. The unions should abandon the outworn methods of craft unionism and adopt the modern tactics of no contracts with the employers, rank and file control of union affairs, union officials to be paid no more than they would earn in the industry, to be limited to a short term of office, and to be forbidden to serve as delegates to conventions or otherwise act except as executive servants, to carry out the expressed will of the rank and file."

The council's constitution proposes management of industrial unions throughout shop steward councils and aims to "establish a closer means of cooperation between the existing unions which subscribe to these principles, to merge unions of closely allied crafts into larger industrial organizations, and finally to amalgamate all the existing progressive Labor organizations into one body."

## CUBAN WAR VETERANS OBJECT

**HAVANA, Cuba**—Resolutions declaring opposition to "any petition to a foreign government for interference with the internal affairs of Cuba, which might injure or diminish in any way the sovereign rights of the republic," have been passed by the National Council of Veterans of the Cuban War. It was recently decided by the executive committee of the Liberal Party to send a committee to Washington to ask the United States Government to annul the recent Cuban elections and supervise new ones. This aroused the veterans.

## SENATOR HARDING IN JAMAICA

**KINGSTON, Jamaica**—Senator Warren G. Harding arrived at Kingston yesterday on the steamship Pastores from the Panama Canal. The program of the day called for a motor ride to King's House, and a drive through the banana belt of the island to Port Antonio, where the Senator planned to embark last night for the United States.

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## NO APPARENT END TO RIO TINTO STRIKE

Big Labor Organizations of Spain, However, Are Pressing for Interference and Premier Is Looking Into the Matter

By special correspondent of The Christian Science Monitor

MADRID, Spain—At the present moment there is no better prospect of a speedy termination to the great strike at the Rio Tinto copper mines—the biggest in the world—in the south of Spain than there has been for some time past. On two or three occasions it has been stated in foreign newspapers and particularly in important London journals, that the strike was either absolutely settled or was just about to be. It has really never appeared like that, and all other efforts having failed, the Spanish Government has now taken the matter in hand. But the Premier, Mr. Dato, who has himself taken it up, appears to make but doubtful progress, and is besides too much concerned with electioneering matters at the moment to devote himself with any concentration to such a difficult question as this.

The fact is deplored in Spain by all persons who are as disinterested as possible in a matter like this, which is assuming to some extent a national or international character, that reports sent abroad, especially to English journals, while evidently making an attempt to be strictly judicial and impartial, fail to be so, and are obviously strongly colored by statements from the management of the mines. If, therefore, on these statements it is recognized abroad that the situation is most deplorable and serious, this view must be emphasized when it is realized that such statements fall far short of the actuality.

### A Remarkable Strike

Of all the many strikes there are in the world at the present time, of which total number Spain has probably more than a just proportion, the Rio Tinto strike is one of the most remarkable; it is unique in some of its most important features, it is amazing in the manner in which it is conducted—and a fact which only just now begins to be realized—it has an international importance that may become great.

The main circumstances have already been reported. The strike began in the middle of the summer, and is a simple demand for higher wages on the part of the men. The employers have offered them part of such advance, but the men insist on the whole. The employers declare that the mines cannot be worked at a profit if such an advance were made, and that if the men insisted they would have to close. Some work is going on there, but in the main the mines have been stopped all the time. The whole country round about Rio Tinto has been given up to the mining interests, agriculture is nonexistent, the strikers have no alternative labor, and an appalling state of destitution has been created among them, 10,000 homes being involved. The care of a proportion of the children has been undertaken by various persons and authorities, and some of them have been brought to Madrid, where they have produced the very deepest impression. There have been many fatalities, even among the little ones thus brought away from the scene of conflict, their removal having been too late.

### Foreign Control

This would be a bad state of things in any case, but the main fact, one of overwhelming significance after all, is that these mines are under foreign control, subject to certain more or less formal and inevitable regulations made by the Spanish governmental authorities. The capital is mainly English, and the control and management are English. The managing director, Mr. Browning, who is personally blamed by the men for many difficulties, is English. Here in effect, therefore, is a sort of English dependency in the heart of Spain. It has been a good thing for Spain because the mines were a failure and neglected before the British company took them over in 1872. The new syndicate has worked them thoroughly, given employment to tens of thousands of men and brought prosperity to the district in the way that Spaniards could or would not have done. At the same time they have established good living conditions for the men, schools for their children, and generally done much for their welfare. That must be said on their behalf, and more might be added to it. Huelva, the port of the mines, had a population of 8000 before the British company

came along; it has now a population of 46,000. But the question being put to philosophy and impartial Spanish and other minds is whether even all this justifies the company in conducting its proceedings in the way it does, for there is always the overwhelming consideration that this is Spanish soil and these men are Spaniards. A person of consequence and authority has remarked that the company exhibits an attitude of mind and a tendency in method of dealing with this big question which would be "better understood and tolerated if they were the conquerors in a conquered country." This remark is pregnant with the essence of the situation but little expressed because there is a certain fear of expressing it.

### A Natural Question

Whatever the merits of the past labor of the Rio Tinto managers (and the men pertinently observe that the management has resulted in vast profit to the company and was not done for pure love of Spain) it must be remembered that they are only here in a sense on sufferance after all, that this soil is not that of their own country, whatever they may have paid for it, that a certain difference must be observed toward Spanish susceptibilities, and points must be conceded here that would not be if this national question were not involved. A foreign company, whatever benefits it may have conferred upon a community among which it labors, is not in the position to dictate arrogant ultimatums in the same way that it might when at home. The national element has to be considered in rousing the people's feelings. It has to be remembered also that even though diplomatically and otherwise serious consequences might ensue, the home Spanish Government is in a position, after all, to clear foreigners out of its country if it does not like them, whatever their interests may be and however they may have been acquired.

This national or international question, then, becomes one of great importance and in more than one way. The other countries of Europe and America have been making an effort in recent times to draw Spain out of her isolation, and she has been willing for the mutual good—but especially that of the foreign countries. The Rio Tinto tragedy, for such it is, disturbed and may have an influence in driving the Spaniards back into their own seclusion. England particularly wishes to do good business and be good friends with Spain in the future, and there have been ample signs of achievement in this direction, but the Rio Tinto affair may have a strongly prejudicial effect if it is allowed to develop much further. That the national and international effect is appreciated outside is evidenced by the fact that foreign journalists are now arriving at Rio Tinto bent on investigation. A French journalist who is at the same time said to be representing various French commercial and banking interests has just gone there, and there is some curiosity as to his exact business.

### Miners' Attitude

Most important factors in the present situation are these: (1) Rightly or wrongly the miners' men protest against the general attitude and conduct of the managing director, and attribute much of the difficulty to his personality. (2) In spite of the intense suffering the men have displayed a most remarkably peaceful attitude throughout, to the great astonishment and admiration of everybody. When it was suggested that they were being assisted and encouraged by outside Labor syndicates they indignantly denied it and proved their denial. Suggestions against them can only have come from English sources, and as they have been proved wrong it is regrettable they were ever made. They are made no longer. There has been only one act of violence, and that was a bomb explosion when the management recently gave the men a time limit of 10 days to return to their work, and it is stated and believed that this outrage was due to outside agencies, the

men generally expressing their regret.

The docility of the Spanish workmen in all the circumstances has been remarkable, doubtless promoted by a realization of the loss that would be incurred if the mines were closed, and the desire to keep on reasonably good terms with the controlling authorities. But it has now to be pointed out that the big Labor organizations in Spain are pressing for interference, and that they cannot be kept out much longer. A total and complete boycott of the mines is spoken of, and if this were done it would go hard with imported labor, and it has been suggested that if the Labor organizations cannot force a satisfactory conclusion to the dispute they will use the weapon of the general strike. Here again the misfortune that a foreign company should be involved is emphasized. (3) Realizing the extremely difficult and delicate nature of the question the Spanish Government has kept clear of it as much as possible and has never expressed any opinion, while at the same time the leading newspapers have nearly all been silent, and no newspaper when it has had any comments to make has done anything but preserve the utmost discretion.

### Government Must Act

All have had a sense of this international delicacy and danger. At the same time there is a strong if not expressed feeling that something should have been done in London to spare the country from the difficulties of such a situation. The strongest thing yet said has just appeared in a leading article in the "Libertad," which refers to the "scandal" of Rio Tinto, and says that the Minister of Labor must stop his fancy trips to other places and establish himself in Rio Tinto to study, observe, inform himself, listen to everybody and form a proper judgment of the situation, and then with all urgency and peremptoriness the government in Madrid should assemble a mixed commission in which would be represented all the interests that are in conflict, listen to their demands and come to a decision.

The company, it says, must send to Madrid from London a person with authority, prestige and power to settle, and it will not do that for another minute the voice should be heard exclusively of the person who is considered to be chiefly responsible. Along with a new representative of the company a representative of the workers should formulate their demands, express their complaints and be heard and understood in a solemn and official manner. Afterward the government, not merely the supreme but the only arbiter and to be obeyed and respected in all Spanish affairs, must decide.

Although this expression of opinion is made in a newspaper that by its policy is particularly and naturally sympathetic to the interests of the working classes, there is the best reason to believe that it represents average Spanish opinion. The Minister of Labor, Mr. Palacios, has been to Rio Tinto and has gone deeply into the question and made recommendations. The Premier, as mentioned above, has now taken it in hand.

### VIEWS ON PROHIBITION

Special to The Christian Science Monitor from its Australasian News Office

BRISBANE, Queensland—Prior to the vote in Queensland on the question of the prohibition of the liquor traffic, a special pastoral letter attacking prohibition was sent to the Roman Catholic clergy and laity of the archdiocese by Dr. Duhig, the Roman Catholic Archbishop of Brisbane. In his pastoral, Dr. Duhig asks: "What, then, is the position of the Roman Catholic Church in regard to this important question of prohibition? The Church strongly condemns drunkenness, but she likewise condemns any measure that would seek to counteract it by depriving a human being of his liberty of action. She encourages total abstinence when practiced of one's own free will, and from a high motive of mortification or good example, but she does not compel any of her children to practice it against their will."

## MR. LLOYD GEORGE ON WELSH TEMPERANCE

Special to The Christian Science Monitor

LONDON, England—Mr. Lloyd George recently expressed his views on the Welsh Temperance or Local Option Bill to a deputation of ministers from the general assembly of Calvinistic Methodists of Wales, together with representatives of the North and South Wales associations.

The British Premier stated that in his opinion the temperance question in Wales was one that should be set-

tled by the inhabitants of Wales, and no other part of the United Kingdom should have any say in the matter. Similarly, the same problem in England was entirely a problem for the population of England to solve.

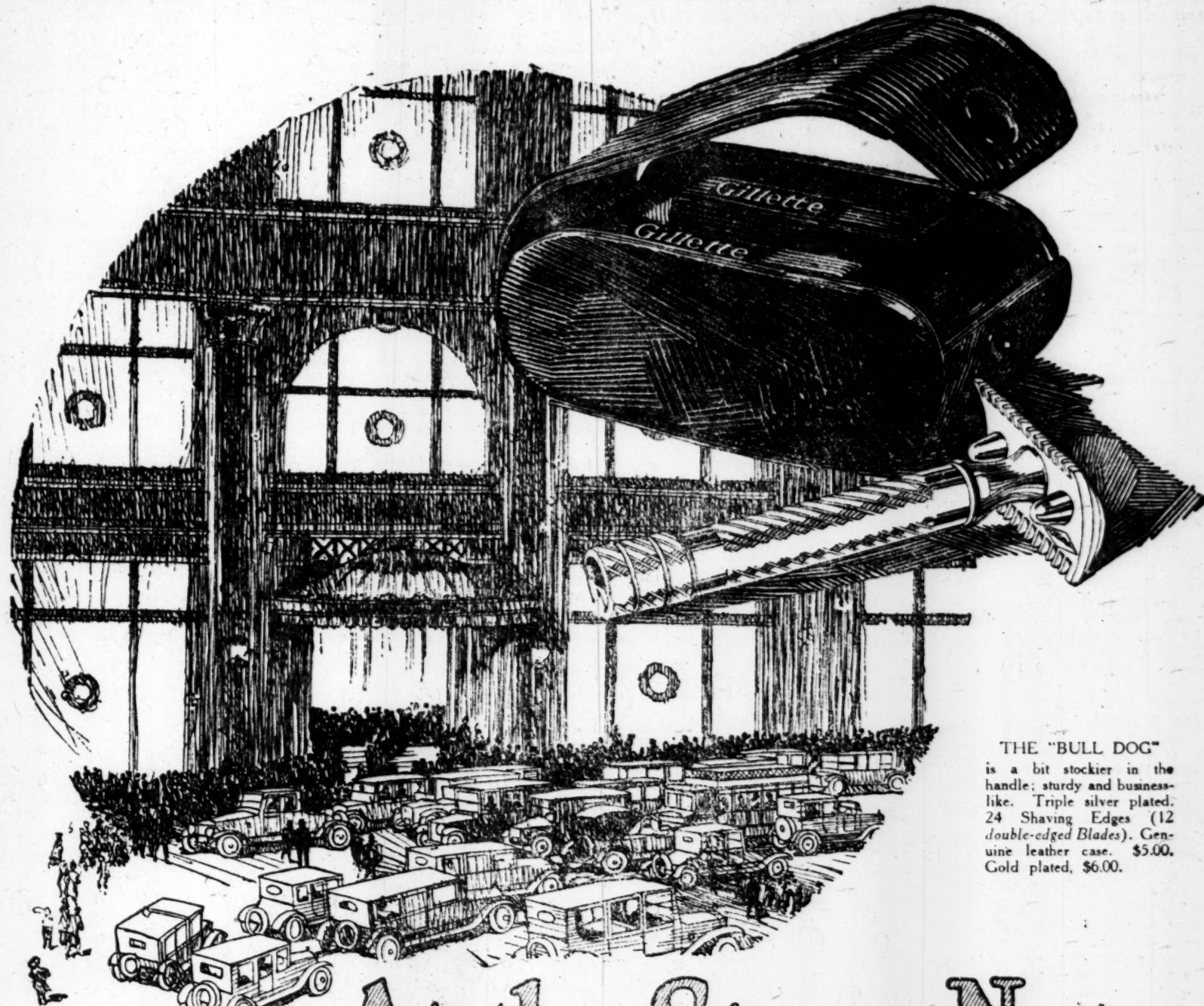
There were two methods by which this idea could be carried out, continued the Prime Minister. One method was by setting up a local council or parliament in Wales, which would deal with the temperance problem together with education and other questions of purely local interest concerning Wales alone. Mr. Lloyd George preferred this way because a bill passing through Parliament would depend

not merely upon the opinion of Wales but upon the opinions of the 700 members of the House, and "a bill carried through by the Imperial Parliament will be fashioned by the Imperial Parliament."

It was this fact, continued the Premier, that had hampered the cause of temperance in the past. When Mr. Asquith introduced his temperance bill in 1908, he had to take into account not merely the opinions of the Welsh and Scottish populations (who would have supported a far more drastic measure), but the opinion of all the English members of Parliament and also the fact that he was legislating for the whole of England. The pro-

posal was one to secure local option at the end of 21 years.

The result showed that Mr. Asquith was far in advance of English opinion. England was not ripe for temperance then, and Mr. Lloyd George declared he had no evidence that England was any more ready for temperance legislation at the present moment. The women's vote, however, might be a powerful factor in the situation. "My opinion is," said the Prime Minister, "that is a much greater factor in temperance than members of Parliament quite realize; but members will only gradually be convinced of that. They are still in the same attitude of mind."



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IN STEAM TONNAGE

Figures Said to Show Possibility  
for Employers to Carry  
Workers With Them in  
"Effort to Refashion World"

By special correspondent of The Christian  
Science Monitor

LONDON, England—When so much is heard of the falling output among so many phases of industrial activity, charges of "cannery," and the adoption generally of a go-slow policy, it is as refreshing as a May morning to learn on the authority of Lloyd's register of shipbuilding returns for the quarter ending September 30, that the "old country" has with ease and a little to spare forced itself into a position which it has maintained so long as the world's foremost shipbuilding nation.

If there appears to be a suspicion of boastfulness about this, or a desire to advertise the fact, it is not entirely or even mainly inspired by a sentimental nationalism, but to a feeling of cheerful thanksgiving that the country cannot be so bad to live in after all, for at least one section of the community—and a pretty big one at that—is bucking to in an effort to make good the ravages of war.

## Tonnage Increase

According to the returns, there has been a steady increase in the tonnage of steam vessels launched during the year, rising from a total of 451,336 tons for the quarter ending March, to 518,568 in June, falling a little in September, the total for nine months reaching the record of 1,448,435 tons, as compared with 1,242,270 tons for the corresponding period in 1919. Now these figures should gladden the hearts of all, as indicating at least that with good feeling and cooperation it is possible for employers to carry the workers with them in a serious effort to refashion the world.

In gloomy contrast to the figures given above there comes Lord Weir's warning, being the embodiment of an address delivered to the Glasgow Chamber of Commerce, following upon a letter written recently to the London Times on the sins of omission of the Trades Union Congress—in that, Labor's spokesmen failed to deal with known and obvious factors, "which during the last two years have been largely instrumental in causing inefficiency of production and have definitely increased the cost of living."

## Tactics of Electrical Union

It is not a particularly pleasing or happy task to quarrel with the noble lord, for much that he complains about is pertinent and to the point, and no body of men feel more the sorrow and shame arising therefrom than the trade union officials themselves, who have to make some kind of defense before the public. There is cited the case of the Electrical Trade Union with the threat to cut off all sources of supply, thereby bringing on to the streets tens of thousands of people who have no grievance whatsoever with their employers, and whose chief desire is to be allowed to continue to earn their daily bread.

But Lord Weir must not be allowed to run away with the idea that because the Trades Union Congress fails to record its resentment at the methods and tactics of the Electrical Trade Union, it therefore agrees with and supports its policy, any more than the Engineering Employers Federation justifies the actions of its in-

dividual members. The attitude of organized Labor toward the "cutting off the juice" policy of the electricians has been conveyed to the latter in the former's own way, and in no half-hearted manner, as has been stated in these columns. Like most other associations of men and women, the Labor movement has its own domestic differences, but does not come outside its own doors to yell in the street.

## The Parliamentary Committee

And when Lord Weir urges that the Trades Union Congress has sufficient influence and prestige in the country which, if rightly exercised, would "so affect the conditions governing efficiency of production as rapidly to bring down the cost of living, raise the standard of earnings and of living, and go far to help the deplorable housing situation," he echoes a sentiment which has been harped upon with almost painful repetition.

It has been repeatedly asserted here that one of the strongest safeguards to industrial peace would be the election to office of a strong and resolute parliamentary committee with imagination, which knew what it required, how to get it, leaving the "wild men" to cry for the moon. Such a committee would inspire the moderate elements, that huge mass too often swayed by the extremists, and create a solid phalanx of Labor opinion that would make difficult the task of the lightning strike enthusiast to satisfy his heart's desire.

In his references to the "deplorable housing conditions" Lord Weir is upon thick ice and is not likely to find himself in danger. There will be found few among Labor's selected leaders who will agree with the statement of the president of the Federation of Building Trades Operators, who is reported to have said that "organized Labor in the building trade desires just as strongly as Mr. Lloyd George to help former service men and other unemployed, and to provide houses for the people."

## Government Mistakes

The simple fact that overrides all others is that the building trades appear to be determined not to allow any other than those whom they decide upon to assist in the making of houses. There is no denying that the government has made mistakes; it has provided schemes almost every other day; it has faltered where it should have been resolute. What it now proposes to do, should have been undertaken before, safe in the knowledge that whatever the building trade unions thought about the matter, organized Labor on the whole, while it could not be expected to openly support the government, would not offer opposition.

According to the Prime Minister's reply to a deputation of London Labor Mayors, the government proposes to place a large number of men trained at their instructional factories on to actual building work, despite the opposition of the unions. That opposition to "trained" is due to a fear of flooding the market and unemployment in view of the leeway to be made up, preposterous, and deceives nobody, least of all those tens of thousands of working class families, themselves trade unionists, now huddled in single rooms anxiously waiting and watching for a home to call their own.

## CONFERENCES ON EDUCATION

Special to The Christian Science Monitor from its Eastern News Office  
NEW YORK, New York—To consider educational needs, 12 regional conferences have been called by P. P. Claxton, United States Commissioner of Education. The conference on New York, New Jersey and Pennsylvania will be held here on December 17. All official and unofficial bodies and individuals interested in the subject are invited. The teacher and normal school shortage are to be two of the most important subjects.

POLES SEEK TITLE  
TO HOLD GALICIA

Ukrainian Authority Says East  
Galicia Belonged to White  
Russians and Ukrainians

Special to The Christian Science Monitor  
LONDON, England—The stretch of territory which has been ceded by the Bolsheviks to Poland by the Riga peace terms, says a Ukrainian authority, comprises about 50,000 square miles and lies on the average 130 miles east of the "Curzon line," which approximately coincides with the ethnic and the so-called Congress frontier of Poland. It is under-populated because from those districts as well as from Eastern Kholm, as much as 80 per cent of the population acting in the allied interest withdrew in 1915 with the Russian armies.

Although article 87 of the Versailles Treaty provides that the Allies alone have the right to determine Poland's eastern frontier, the Polish Diet in Warsaw has laid down the laws for lands not assigned to Poland and made elaborate provisions for a systematic colonization of White Russian and Ukrainian territories where the Polish element is in a minority. White Russians and Ukrainians returning now to the farms evacuated in 1915 find them frequently occupied by Poles.

The frontier set by the Riga treaty apparently disregards also the fact that by the resolutions of June 25, 1919, the Allies declared that the future of Eastern Galicia shall not be settled without a plebiscite. By the Treaty of St. Germain Eastern Galicia passed into the legal possession of the principal allied and associated powers and they alone have the right to decide its fate. In the note of July 11, Lord Curzon once more signified that the future of Eastern Galicia must not be settled without her voice having been heard.

The Eastern Galician territory, com-

prising about 10,000 square miles and inhabited by an overwhelming majority of Ukrainians (Ukrainians 74 per cent, Jews 12.3 per cent, Poles 12.1 per cent and Germans 1.2 per cent) simultaneously with other nationalities, had elected at a constituent assembly in Lemberg on October 19, 1918, its own Ukrainian National Council and proclaimed the political independence of all the Ukrainian territories, which formerly belonged to Austria. In November, 1918, Poles invaded the western Ukrainian Republic. For nine months a bitter struggle lasted until in May, 1919, the Poles, while apparently negotiating for an armistice, obtained permission of the Allies to bring General Haller's army into Poland under the distinct understanding that this army should not be used against the Ukrainians. Contrary, however, to their promise, as soon as the army, equipped and armed by the Allies, reached Galicia, the Poles launched it against the exhausted Ukrainians.

Having received the allied resolution and the promise of June 25, 1919, the East Galician Ukrainian Government withdrew its troops into Russian Ukraine, directing them against the Bolsheviks. Since then the Poles have made strenuous efforts to obtain a title to a permanent possession of Galicia, which is rich in oil, timber and agricultural resources. For the recognition of their government by Poland, the Bolsheviks, who do not represent any free will of Russian or Ukrainian people, have bartered away 50,000 square miles of territory which, since the dawn of history, belonged to the White Russians and Ukrainians and has an insignificant sprinkling of Polish inhabitants, chiefly Polish big landowners.

## STUDY OF SOUTH WEST AFRICA

Special to The Christian Science Monitor from its South African News Office.

CAPE TOWN, Cape Colony—The Prime Minister recently visited the South West Protectorate in order to study on the spot some of the many important questions awaiting settlement in respect of its future development.

THREAT TO REMOVE  
AUSTRALIAN JUDGES

Special to The Christian Science Monitor from its Australasian News Office

SYDNEY, New South Wales—Mr. Justice Rollin, chairman of the New South Wales Commodities Commission, which recently permitted an advance to export parity in the price of butter, has entered a dignified protest against certain threats which were made by the Labor Premier, Mr. John Storey, in his annoyance at the advance.

His Honor declares that in promptly gazetizing his decision he was actuated by no desire to thwart the government, but was following the universal practice in all such cases.

"For the same reason that the public is greatly interested in the independence of the judiciary, I feel compelled to say a word as to the threat made to remove us. Such threats put us in a very invidious position. They lead to this grave result that if, in any future case, the Crown appears before us and asks for a particular order, we shall be under the suspicion that if we make the order we have yielded, not to argument, but to the knowledge that if we do as the Crown asks us we shall be liable to removal. If we should be removed and other persons appointed in our place, the circumstances would give color to the inevitable comment that the new appointees had been appointed as persons more likely to be amenable to the wishes of the government than ourselves.

"The making of such a threat is an intimation to every judicial officer in the state that he holds his office subject to the threat of removal if his judgment is not such as the ministry in its wisdom thinks just. The result would be that the ministry of the day might, whenever it was thought fit, act as a court of appeal from any judgment. For all this, however, we are in no way responsible, and the only proper course open to us is to continue to perform the duties for which we have been appointed."

## James McCreery &amp; Co.

5th Avenue NEW YORK CITY 34th Street

## McCreery Silk Week

Swings Into Its Third Day  
With Renewed Vigor

## Values Are Remarkable

A superb assortment of new Novelty Silks, Velvets de Luxe, Satins, Chiffons, Georgettes, Gold and Silver Brocades on Voile and Satin Grounds.

A dress length of McCreery Silk would make a most acceptable gift. Why not select some soft, beautiful shade for an Evening Gown, or a fashionable color for a Street or Afternoon Gown?

Prices have been readjusted, making values most extraordinary.

## Illustrative

Rich, lustrous Brocade Satin in White, 40 inches wide, regularly 7.50, yard, 4.95

1,500 yards of White Motora Silk, constructed especially for Men's Shirts and Pajamas, Women's Blouses and Wash Skirts; 40 inches wide, regularly 4.50, yard, 1.68

(Second Floor)

## Sale of 500

## Genuine Cowhide Boston Bags

(not a split cowhide)

4.50

regularly 7.50

This bag has been rightly called the Bag of 1000 Uses. Your son or daughter would love it for their books, "gym" togs, and the innumerable odds and ends which won't fit into pockets. You yourself would find it convenient for shopping, or your knitting, and the man of the family will find it just the thing for an overnight bag or to carry requisites to and from the office.

It is built on a steel frame, all handsewn, and of selected stock. Sizes 13, 14 and 15 inches.

(Fifth Floor)

## Holiday Gifts for Children

Marked at Lowered Prices

Children's four-piece Sweater Sets—Leggings, Sweater, Cap and Mittens in Copenhagen Blue, Rose, Tan and Brown. Sizes 2 to 6 years. Special 10.50

Billie Burke Sleeping Garments of White Outing Flannel, finished with Pink or Blue stitching. Sizes 6 to 14 years, formerly 2.95, 2.25

(Third Floor)

## Holiday Sale

Women's  
Silk Hosiery

## At Very Low Prices

Silk Hose is the ever-appreciated Gift—it is so useful and attractive. When, however, the gift is McCreery Quality Hose, the value is increased for its superior quality and unusual beauty and long service.

Thread Silk Hosiery, in these three modish styles: Lace Boot Effect in Black or Cordovan—Open Work Clox in Black or Cordovan—and Embroidered Clox in Black or White. 3.95

Thread Silk Hosiery, fine gauge, in Black or White. 2.50

Thread Silk Hosiery, fine gauge, in medium weight, Black only. 3.25

Thread Silk Hosiery, lisle tops and soles, in Black or Cordovan. 1.95

Thread Silk Hosiery, with handsome lace insert, in Black. 6.95

McCreery Hosiery Is Famous for Quality

(Main Floor)

Special Offering  
In High Grade Boots

Including Dress Boots, Heavy Walking Boots and Medium Weights. They are of the present vogue—all high grade, as the original prices indicate.



\$12.85

Original Prices  
Were  
\$17 to \$24

In All Leathers, including Patent, Tan and Black Russia, Black Ooze. Some in cloth and buck tops of various colors.

## For Women and Misses

We have several hundred pairs more to offer at the price of \$12.85. While the heavy selling of the past few days has greatly reduced the stock in this special offer, we assure a wide variety of styles, in which will be found all sizes, although there are not all sizes in every style.

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## Pen portrait of a French gentlewoman

CENTURIES of charm and grace behind her—the heritage of an exquisite sensitiveness to fineness and beauty—In the selection of her attire, the miraculous possession of a sixth sense, that indefinable one-knows-not-what which all the world instantly recognizes.

What this fine fruit of the civilization of all the ages distinguishes with her acceptance, becomes for all the world the summit of achievement.

The designers of Kayser deem it a tribute to the perfection and enduring quality of the silken loveliness they produce, that on the Avenue de l'Opéra, in the most exclusive shops of her beloved Paris, this daintiest of exquisites gives her preference to the distinguished simplicity of "Italian" Silk Underwear.

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# FINAL ARGUMENTS IN CHRISTIAN SCIENCE CASES

BOSTON, Massachusetts—Final arguments before the Full Bench of the Supreme Judicial Court in the case of Eustace et al. vs. Dickey et al. were continued yesterday and are to be completed today. The stenographic report of yesterday's arguments follows:

COMMONWEALTH OF MASSACHUSETTS  
SUPREME JUDICIAL COURT FOR THE COMMONWEALTH  
November Sitting, 1920.

RUGG, C. J.; Braley, Crosby, Carroll and Jenney, JJ.

No. 1395.  
Herbert W. Eustace et al., Trs. vs. Adam H. Dickey et al., Trs.

No. 1396.  
Daisy L. Krauthoff et al., vs. Attorney-General et al.

No. 1400.  
Attorney-General vs. Herbert W. Eustace et al.

No. 1402.  
Herbert W. Eustace et al., vs. Adam H. Dickey et al.

No. 1415.  
Herbert W. Eustace et al., vs. Adam H. Dickey et al.

No. 1423.  
Herbert W. Eustace et al., vs. Adam H. Dickey et al.

Appearances:

Hon. Charles E. Hughes, Sherman L. Whipple, Esq., Lathrop Whittington, Esq., and Silas H. Strawn, Esq., for Herbert W. Eustace et al.

Messrs. Bates, Nay, Abbott & Dane, and Clifford P. Smith, Esq., for Adam H. Dickey et al.

Hon. J. Weston Allen, Attorney-General and Edwin H. Abbott, Jr., Esq., Assistant Attorney-General, for Attorney-General.

Messrs. Thompson & Spring (William G. Thompson, Esq.), and Messrs. Streeter, Diamond, Woodworth & Sullivan, for John V. Dittmore.

Edwin A. Krauthoff, Esq., for Daisy L. Krauthoff et al.

Messrs. Dawson, Merrill & Dawson (Miles M. Dawson, Esq.), for Emilie L. Hull.

SECOND DAY

Supreme Judicial Court, Boston, Mass., November 30, 1920, 9:30 a. m.

RUGG, C. J. You may resume your argument, Mr. Hughes, if you please.

Argument of Hon. Charles E. Hughes, on Behalf of the Plaintiffs.

Herbert W. Eustace, et al., resumed.

May it please the Court: At the time of adjournment yesterday I was discussing the facts which determined the significance of the term "First Members" as used in Paragraph 10 of the Trust Deed of January 25, 1898. I had referred to the organization of the Church known as "The First Church of Christ, Scientist, in Boston," and to the minutes of the organization meeting on September 25, 1892. At that time the actual First Members elected others as First Members, and also adopted certain covenants and rules. They provided for the election of officers—president, secretary and clerk. They did elect such officers for the first year. On page 48 of the exhibits you will find the record of the next meeting of the First Members, which took place on October 5, 1892. There you will observe the record of the previous meeting was approved and an additional rule was adopted. From that time for several years the organization continued as it was there effected. The members admitted by the vote of First Members, if admitted as members only, were without vote. Those who were admitted and elected as First Members joined the company that had used that name, and that transacted through their votes the business of the Church.

The Church, as the Master finds, you will see, on record page 85, was never incorporated. The rules above mentioned continued until 1895, the officers being elected annually by these First Members.

The first Church Manual was adopted, the Manual being a convenient term to describe church by-laws and church rules, in the year 1895. This and all the other editions of the Manual are exhibits in the case, but are not set forth, in extent, in the record. They are here for the examination of the Court as a part of the actual record. The particulars of the rules—that is, a summary of the rules, so far as stated by the Master—will be found set forth at page 87 of the record.

I have here the exhibit which is the first Church Manual, thus adopted, in 1895. There is a preface to the Manual under the caption of FORMATION OF THE CHURCH, which refers to its organization in these words:

"On the twenty-third day of September, 1892, by advice of our beloved Teacher, Rev. MARY BAKER EDDY, twelve of her students met and formed a Christian Science Church, and named it, THE FIRST CHURCH OF CHRIST, SCIENTIST." At this meeting twenty other students of Mrs. Eddy's were elected members of this church, who, with the twelve who formed the church, are to be known as "First members." Church Tenets, formulated by Mrs. Eddy, were adopted, also rules for the government of the church.

This first Church Manual, which was adopted in September, 1895, set forth certain church rules. I will refer briefly to those which are important as giving an understanding of the term "First Members."

Article I provides for regular meetings. It says:

"The annual meeting of The First Church of Christ, Scientist, in Boston, Mass., shall be held on the first Tuesday in October in each year, to listen to the reports of the Treasurer, Clerk, and the Committees, and general reports from the fields of the entire members of this church who desire to speak of their various experiences. Only the First members of the church are required to vote on admitting candidates, and attend to

the transaction of any church business that may properly come before the meeting. The candidates for church membership shall be elected by a majority vote of the First members that are present."

There is a reference to application for membership, and provision regarding such applications, in Article IV, which concludes:

"The candidates shall be elected by a majority vote of the First members present."

In connection with a provision of the Trust Deed, to which I may refer parenthetically, that is, the Trust Deed to the publishing trustees, you will note in paragraph 13, on page 25 of the record, the provision that the trustees are to receive compensation for their services, or such salary as the said church may determine from time to time. I refer to that in this connection because in this Article VIII of the first Manual, of 1895, I find, at the close of Section 3, these words:

"This rule cannot be changed, amended, or annulled, except by a unanimous vote of the Church."

You will find through this first Manual several references to the Church. There cannot be the slightest doubt as to who constituted the Church, who were the voting members of the Church, or to whose action reference was made. As the Master found, this article in the Trust Deed referred, in the light of the history, to the First Members of the Church. They were those who under the Manual had the authority to act at that time in the matter referred to as a matter to be dealt with by the Church, in contradistinction to this board of trustees, to which I shall presently allude, holding the title to real estate upon certain specific trusts, which was known as the Board of Directors.

Down to the adoption of these rules and by-laws in 1895 the officers of the Church, consisting, as defined by the rules, of a president, a clerk and a treasurer, had been elected by First Members, or as the Master calls them quite appropriately, for it corresponds exactly to the fact, the Voting Members.

By Article I of the by-laws of 1895 it was provided that the officers of the Church shall be elected by the board of directors at their annual meeting, and that the officers shall consist of a president, a clerk and a treasurer.

From that time the directors elected these officers. The First Members, however, transacted the other business of the Church.

Now, the organization continued under those rules and by-laws until 1897, when there was another edition, with some changes. This, called the Seventh Edition, the edition of 1897, was the last one preceding the Trust Deed of January 25, 1898. This discloses the rules and by-laws as they existed at the time of Mrs. Eddy's deed to the publishing trustees.

Now, it will be noticed that there is substantially the same sketch with regard to the formation of the Church. Under the Church by-laws we find in Article II this provision:

"The regular meeting of the First Members of The First Church of Christ, Scientist, in Boston, Mass., shall be held semi-annually on the Saturday next preceding the Communion Sunday in January and July of each year, beginning in July, 1897."

Article III provides for special meetings of the First Members of this Church.

Article IV is entitled "First Members," and as this is very definitive with regard to the First Members as they existed at the time of the Trust Deed, I will ask the Court to permit me to read it—it is not very long. I should say that this is also an exhibit in the case, and while it is not set forth in extent in the Master's report, a summary of it will be found at page 87 of the record.

"Article IV. First Members.

"SECTION 1. The First Members of the Church shall vote on admitting candidates, and attend to the transaction of any Church business that may properly come before the meeting. The names of the candidates for Church membership shall be read at the semi-annual meeting and voted on."

"SEC. 2. If the First Members shall become less than forty in number they shall retain this number, and those elected shall be persons who have proven themselves, in successive years, strict adherents to the doctrines and practice inculcated in SCIENCE AND HEALTH WITH KEY TO THE SCRIPTURES. A majority of all the First Members elects a First Member."

"The First Members so elected shall have the same power to act for this Church as the incumbents."

"This rule shall neither be amended nor repealed except by unanimous vote of the First Members."

"SEC. 3. Important questions relative to Church members shall be discussed in the meetings of the First Members." ["Important questions relative to Church members shall be discussed."]

"Seven First Members shall constitute a quorum for transacting the Church business."

Then follows in Article V the provision that the Church officers shall consist of a president, a clerk, a treasurer and two readers and provision for the election of those officers by the Board of Directors.

As indicating the relation of the First Members to the organization, I may also refer to Section 3 of Article II of the Church rules as they existed in 1897. The concluding clause of Section 3 reads:

"If a member of this Church has been twice notified of his excommunication, he shall not again be received as a member of this Church. This Rule cannot be amended or annulled except by a unanimous vote of the First Members of this Church."

That was the situation with respect to this body well-defined which constituted the First Members of the Church at the time when Mrs. Eddy executed her Trust Deed.

Now, with respect to the directors if your Honors will again refer to Paragraph 10, relating to vacancies in the trusteeship constituted by the deed of January 25, 1898, you will observe the expression, "The First Members, together with the directors of said Church, shall have the power [this is on record page 24] to declare vacancies in said trusteeship for such reason as to them may seem expedient."

Now, what was meant by the term "directors of said Church"? We now must recur to the deed of September 1, 1892, which you will find copied on page 28 of the record, for the constitution of these directors. This deed is the deed of certain real estate, by Mary Baker G. Eddy, to Ira O. Knapp, William B. Johnson, Joseph S. Eastman and Stephen H. Chase, as trustees. You will find immediately after the description the words:

"This deed of conveyance is made upon the following express trusts and conditions."

Then Paragraph 1 provides: "Said grantees shall be known as the 'Christian Science Board of Directors' and shall constitute a perpetual body or corporation under and in accordance with section 1, Chapter 39 of the Public Statutes of the Commonwealth. Whenever a vacancy occurs in said Board the remaining members shall within thirty days fill the same by election; but no one shall be eligible to that office who is not in the opinion of the remaining members of the Board a firm and consistent believer in the doctrines of Christian Science as taught in a book entitled 'Science and Health,' by Mary Baker G. Eddy beginning with the seventy-first edition thereof."

Then follow in succeeding paragraphs other terms and conditions of the trust. It is not necessary for me to present purpose to read those paragraphs. What we are now concerned with is the constitution of the so-called board of directors. Your Honors will observe that it is a board of trustees, that is, the name or style of the grantees under the deed of trust. That deed of trust was executed on September 1, 1892, and it was in existence as an effective trust at the time of the organization of this Church (to which we have referred) on September 23, 1892.

Now, the Church did not elect these directors. The Church thus organized, on September 23, 1892, and continuing as a voluntary religious society, never elected the directors. They never filled any vacancy in the board called the Christian Science Board of Directors. These directors were in no sense church officers. They were not chosen by the religious society. Their powers, their duties, their responsibilities were solely created and defined by the Trust Deed of Mrs. Eddy, executed on September 1, 1892.

There was no provision until many years after the subsequent Trust Deed to the publishing trustees in 1898—until many years after that—for the inclusion of the board of directors as church officers, in the definition, in the article of the by-laws which defined who should be church officers. Even that, however, accomplished nothing. These gentlemen still remained as a self-perpetuating board of trustees. They had no standing in the law, pursuant to any action or act of creation, except as trustees; and as trustees they were a self-perpetuating board, dependent entirely upon the original authority of the deed of September 1, 1892, and upon the election by the remaining members of a new trustee under that deed whenever a vacancy arose.

Now, it clearly appears that on January 25, 1898, when the trust deed to the publishing trustees was executed, there were no directors of said Church except these trustees under the deed of September 1, 1892. It necessarily follows, and so the Master has found, that the reference in Paragraph 10 to "the directors of said Church" was the reference to the four trustees created by the deed of September 1, 1892, and those who should become directors of trustees under that deed by virtue of an election through remaining members, as provided in the deed, whenever a vacancy occurred. The Master finds that that was Mrs. Eddy's intent.

Now, it may be noted here that these Directors, although referred to in the Trust Deed of September 1, 1892, as a corporation under the Public Statutes of Massachusetts, Chapter 39, Section 1, did not and could not constitute such a corporation. Mrs. Eddy, of course, as a private individual, had no authority except as she acted under the law of the Commonwealth to create a corporation, and these Trustees under her Deed could not become a corporation unless they became such by virtue of the law to which reference has been made.

The controlling clause of the statute is that deacons, wardens, or similar officers of churches or religious societies may become a corporation. The meaning of that has been defined by Chief Justice Shaw in the case of Weld vs. May, 9 Cush. 181, and he concludes his statement with reference to deacons and wardens and similar officers with this very terse statement which disposes, as we view it, of the contentions to the contrary in this case. Chief Justice Shaw said:

"Other officers, not of a character similar to that of deacons, must hold simply as trustees."

If we argued this case for several days we could not add anything to that succinct statement. These Directors were trustees as they were a self-perpetuating body, as they owed no authority to this voluntary organization, as this voluntary organization in no way defined or limited their powers, and they existed by virtue of

the formation of the Board by Mrs. Eddy, and then by election through remaining members to fill vacancies. They necessarily were trustees.

I may submit to the court that probably the court, and certainly counsel, has never heard of deacons or church wardens or similar officers chosen and perpetuated in that way. They are in a class quite distinct from the deacons and church wardens. They are not by virtue of that fact in a class outside the law. They, however, fall into the category of law, known as trustees; and the description was evidently due, that is, the description as to corporate character, was evidently due to a misapprehension of the law.

That is recognized by Mrs. Eddy many years later when the Directors themselves, long after the Trust Deed to the publishing trustees, attempted to make their number five instead of four, and a Mr. McLeellan was elected a fifth director. The name "By-Law Directors" was given to it, to express the situation.

Mrs. Eddy in her letter of March 19, 1903, Exhibit 739, which you will find on page 59 of the record, shows that she had been advised with reference to this situation. This is the note at the foot of the letter:

"I regret that your name cannot appear as a member of the Christian Science Board of Directors on their deeds. I have twice urged this question but Mr. Elder finds it cannot be legally so."

You will also find it interesting and important in this connection to refer to the deed of Mrs. Eddy in December, 1903, which relates to the four trustees certain real estate. You will find this at page 77 of the book of exhibits, in Column 2. Passing the first clause of the preamble, we come towards the foot of Column 2 to these words:

"And whereas it has now been brought to my attention—"

Your Honors will pardon me if I interrupt the reading to say that she had previously executed a deed of the land upon which the Publishing House had formerly done business, prior to the execution of the Trust Deed of 1898, to the First Church of Christ, Scientist. Now she gives this deed, in 1903, as a release of the same property to the four trustees, not to the five, it will be observed, but to the four; and in making this release she uses the language which I shall now read:

"And whereas it has now been brought to my attention that said grantees was not a corporation, but said Church is a voluntary association of individuals the title to the Church property being vested in a Board of Trustees named in the Deed of Trust by me conveying the land upon which is situated the edifice in which said Church worships—"

Then in Column 3, in the granting clause, you will find:

"Now, therefore, I, the said Mary Baker G. Eddy, in consideration, 'to me in hand paid by Ira O. Knapp, William B. Johnson, and Joseph Armstrong, all of Boston in the County of Suffolk and Commonwealth of Massachusetts, and Stephen A. Chase of Fall River, in the County of Bristol, and said Commonwealth, as they are the present trustees known as The Christian Science Board of Directors under said Deed of Trust hereinafter referred to as dated September 1st, 1892'—"

That, you will observe, was executed in December, 1903.

As I shall presently have occasion to say, it being impossible to utterly separate the different considerations that apply to different points in the case, the attempt of the First Members to abdicate their powers was in 1901, and they became Executive Members, but they had abdicated their power, or sought to, to transact business of the church. This deed was in December, 1903; and you will note what Mrs. Eddy has to say with regard to these members in the same deed, in Column 1 of page 78. Towards the top of the column she says:

"In addition to the trusts contained in said deed of September 1, 1892, this property is conveyed on the further trusts that no new tenet or By-law shall be adopted nor any tenet or By-law amended or annulled by the grantees unless the written consent of said Mary Baker G. Eddy, the author of the textbook 'Science and Health with Key to the Scriptures' be given therefor, or unless at the written request of Mrs. Eddy the Executive Members of 'The First Church of Christ, Scientist' (formerly called the 'First Members') by a two-thirds vote of all their number decide so to do."

I may also refer to the fact that similar provisions were made in deeds by other grantors, and in a still later deed by Mrs. Eddy, in 1904.

With this understanding, then, of the constitution of the First Members on the one hand, and of the Directors on the other hand, we come to the question of the construction of Paragraph 10, giving this power to declare vacancies. There is a vital consideration in the construction of this deed as a whole, and in particular of this clause, Paragraph 10. These Directors, known as The Christian Science Board of Directors, had been trustees since September 1, 1892, a period of over five years. Mrs. Eddy had been in constant contact with that Board. That Board had the important trusts with regard to the edifice and the maintaining of worship, as defined in the Deed of September 1, 1892. But Mrs. Eddy did not select those Directors as trustees of the Publishing Society. The significance of that, it seems to us, cannot be ignored.

Prior to this trust Deed of 1898 to the publishing trustees, the publishing business had been conducted by a corporation. That corporation, The Christian Science Publishing Society, or in substance so named, on January 15, 1898, ten days before the execution of the Trust Deed, conveyed their real estate and their personal property and all the rights appurtenant to the business, to Mrs. Eddy; and then on January 25, 1898, Mrs. Eddy executed two deeds. The one deed was a deed of the real estate on which the publishing business had been conducted, to the First Church of Christ, Scientist, the deed referred to in the deed of 1903, releasing the same property to the four trustees, which I have just read. Then on the same date, January 25, 1898, Mrs. Eddy conveyed all the personal property and everything that pertained to the publishing business, except the real estate, to these publishing trustees, that is, the trustees under the Trust Deed of January 25, 1898.

Nothing could be clearer than that she did not select the Directors to conduct that business, that she decided not to put that business under the control and management of the Directors, and that she determined, as she had a right to determine, that with respect to that publishing business there should be a separate trust, the terms of which she carefully defined.

It is in that connection that these words which I emphasized yesterday, that the business should be conducted by these trustees under the deed of 1898 upon their own responsibility, "and without consulting me about details, subject only to my supervision," are significant. The references to the judgment which was to be exercised and the discretion used in the management of this publishing business were plainly to the judgment and discretion of these Trustees, not to the Directors.

It will then be observed that when Mrs. Eddy, having determined upon this separate trust, in Paragraph 4 provided for the accounting of the net profits of the business, she did not provide that they should be paid over to the Directors, but to the Treasurer of The First Church of Christ, Scientist. Then she provided with regard to the disposition of these moneys by said treasurer; not that he should dispose of them as ordered by the Directors, but that he should hold the moneys so paid over to him subject to the order of the First Members of said church. Then there was a body who, properly speaking, were not church officers at all, did not exist by virtue of the authority of this church, but by virtue of a trust, and that body was a Board of Trustees which bore the name of the Christian Science Board of Directors.

Now, it does not require argument to point out what her intent was. Her intent was that while she remained alive, as stated in Paragraph 10, if a vacancy occurred in the publishing trusteeship she should reserve the right to fill the same by appointment as she so desired; that when it came, however, to declaring vacancies in said trusteeship there were to be two bodies, who should act concurrently in regard to the serious consequence of declaring a vacancy in this Board of Trustees for the publishing business, which she had independently created, knowing full well that she could put the power in the Directors had she seen fit to do so, and she did not see fit to do so.

And then, finally, in Paragraph 13, with regard to the salaries, she provided, not that the salaries should be fixed by the Directors, but should be fixed by the church, the significance of the use of that term being apparent in connection with what I have read from the church by-laws as then existing.

We therefore see that Mrs. Eddy had clearly in mind what was the fact, that there were two bodies, each of which had distinct rights, privileges and responsibilities under the law. There was the body known as the First Members. They were in truth the voting members of the church. They represented the religious society in the sense that they as First Members had formed it, and then, in accordance with its constitution, had drawn to themselves others who were called First Members, and this body of First Members transacted the business of the church.

I apprehend that there never was a case where the importance of the action of two bodies was more obvious; and the intent that the power should be exercised only in case of their concurrent action was more clearly expressed. Stress is laid here upon the words, "for such reason as to them may seem expedient." But the broader scope of those words, the clearer is the importance of the concurrent action of the two bodies. It cannot be conceived, we submit, that if Mrs. Eddy had intended to put this business under the control of the Directors, her own Board, constituted by her, she would not have said so, nor can it be conceived that if she intended to vest the power of removal in these Directors, the trustees under the Deed of 1892, she would not have said so. She chose her words deliberately, and it is not for these defendants to attempt to frustrate that purpose, declared by Mrs. Eddy in her Deed.

A familiar principle of law thus applies. When there is a discretionary power given to two donees of course both donees must act in the exercise of that power, and one donee cannot act alone. Another point is at once clear. The First Members could not transfer this power. This power was a non-delegable power, a non-transferable power; and yet it is plain that these defendants rely, and in the light of fact are bound to rely, upon an attempted transfer of this power by the First Members to these Directors. That becomes clear from a consideration of these facts; and now I refer to the subsequent history, that is, the history subsequent to the Deed of 1898.

Of course it is our contention that nothing that subsequently took place could affect this Deed as a valid trust to be construed according to its terms as they were and were to be construed when it was executed. But the subsequent history is important in determining the basis for the contention of these defendants in their effort to remove the Trustees, or one of them, and their plan to make all subordinate to their will.

The first event after the execution of the Trust Deed of 1898 was the adoption of another Manual, with the amendments, which we find adopted in 1898, some little time after the Trust Deed. We find provisions in this Manual, in the church by-laws, Article 2, with respect to the semi-annual meetings of the First Members of the church; Article 3, provision for special meetings of the First Members; Article 4, substantially, and I believe exactly the same, with respect to the First Members, as a corresponding article in the edition of 1897, which I have read. Then we find Article XI, an Article introduced and entitled, "The Christian Science Publishing Society." That refers to the Deed of January 25, 1898, describes the matter substantially in the language of the Deed, and then it provides this:

"The First Members together with the Directors of said Church shall have the power to declare vacancies in said trusteeship for such reasons as to them may seem expedient. Whenever a vacancy shall occur in said trusteeship for any cause, the Pastor Emeritus reserves the right to fill the same by appointment; but if she does not elect to exercise this right, the remaining trustees shall fill the vacancy, and the candidate proposed for this office shall be elected by a unanimous vote of all the First Members of said Church."

Now, you will notice that that follows the provision of the Deed, except in the last clause, that "the candidate proposed for this office shall be elected by a unanimous vote of the First Members of said church."

It happens that in August, 1898, a vacancy did arise in the Board of Trustees under the deed of 1898, and attention was called to this and it was expunged, so that in effect the matter remained as provided in the trust deed.

There is in this Article XI a clause that "A person who is not accepted by our Pastor Emeritus and the Christian Science Board of Directors, as suitable to publish her books, shall in no manner be connected therewith, nor with the Christian Science Publishing Society."

That refers both to the Pastor Emeritus and the Christian Science Board of Directors. Of course it had no effect whatever upon the provision of the deed and so far as power of removal is concerned it did not concern it at all.

Now, then, it was not until 1901—about three years after the execution of the Trust deed of 1898—that the First Members attempted to abdicate their power. On January 10, 1901, the First Members adopted a by-law that business thereafter transacted by them should be done by the Directors. Then it was in February, 1901, that the Christian Science Board of Directors themselves adopted a by-law providing that the Board of Directors should have power to declare vacancies in the Trustees under the deed of 1898. The power, then, as it is sought to be found in the by-laws on the part of the Directors to declare a vacancy in the Trustees under the deed of 1898 was conferred upon them by themselves so far as the by-law itself is concerned, and they base their right to confer this power upon themselves upon the action of the First Members in the month preceding, January, 1901, in providing that the business thereafter transacted by the First Members should be done by the Directors.

You will at once observe that whatever may be said of this body known as the First Members, having become extinct later on, were not extinct in 1901. They were not extinct in 1903. They were then "Executive Members" in 1903. The Board of Directors attempted to take this power of removal to themselves in February, 1901. Therefore it is that counsel for defendants in their brief attempt to maintain the power of the First Members to transfer this power of removal. It seems to me that the question is not arguable. These First Members vested with this power of removal under the deed of 1898, could not transfer it according to the most familiar principles. Now, going further with the subsequent history, we find that in 1903, the First Members, despite the fact that they had passed the by-law giving the Directors or attempting to give them, the power to transact the business formerly transacted by them, were now to be known by the singularly inappropriate term "Executive Members." That by-law was adopted by the Directors themselves in 1902. They had already added one to their number so as to constitute a board of five, that being done by the Directors themselves. This was not only a self-perpetuating board under the deed of 1892 but it was a board apparently that could do what it pleased in adding to its numbers or in arranging for a disturbance of trust instruments. It arrogated, at least, to itself this privilege which we say had not the slightest basis in any legal authority.

Then in 1908 these Executive Members, so-called, originally the First Members, still meeting but transacting no business, the Board of Directors in 1908 disbanded them. The defendants then, having first attempted by virtue of the by-law of the First Members, to arrogate to themselves the power to declare vacancies, rely upon that as a transfer to the First Members, and then they themselves having disbanded the First

Members, or the Executive Members, in 1908, then assert that the First Members thereby became extinct and that the power of removal survived to them.

They make the argument that this power of removal was a power coupled with an interest and hence would survive.

RUGG, C. J. After 1908 did the First Members exercise any prerogatives of the Executive Members?

Mr. HUGHES. I believe not.

You will observe they refer in it, seems to me, a somewhat ambiguous manner, to a power coupled with an interest, and also to a power attached to an office. There is a sense in which the term may be used as applicable to both cases, but it needs a little analysis, as it seems to us, to indicate the fallacy in the way in which the argument is presented by the defendants. Of course, there was no interest in any proper sense in the Directors, the First Members. They were not, as First Members or as Directors, on either side, either the legal or the beneficial owners. Certainly the Directors were not. They owed their position and authority solely to the deed of trust. So far as the First Members were concerned, they were a portion of many hundreds of actual members of this religious society who had exercised the right to vote and who had transacted business in accordance with the constitution of the society. There was no power coupled with an interest, as I understand that phrase to be used in the law. That they make, however, is that it was a power attached to an office and hence passed to the successors in office. And they illustrate by reference to the familiar cases of executors or trustees who have powers which may be exercised by the remaining trustees or the continuing Board of Directors when a vacancy which occurs is filled, or otherwise. But this loses sight, it seems to us, of a very important, a very fundamental consideration. There was no office in the sense that comprehended both First Members and Directors. The First Members had their office; the Directors had their office. The rule which our friends invoke would be pertinent if they were continuing the power to the First Members as a class by virtue of the office or the Board or constitution of the body of the First Members. It also would be pertinent with reference to the directors so far as that phrase defined a continuing body of trustees under the deed of 1898, renewed and continued as provided in the deed, would constitute an office similar to executors or other trustees, so that if one died the power would not be lost. But confusion results from a commingling of the First Members and the Directors, neither of which was the successor of the other, and the power being given to both and not to either.

The matter is of special significance because Mrs. Eddy could have chosen either and the fact that she did not choose either but chose both indicated her determination that there should be a check upon this action.

We have, then, nothing but a bald attempt by the First Members to transfer this discretionary power to the Directors, and if the Directors disbanded them and if the First Members or the Executive Members acquiesced in that action that in no way changed the function or the constitution of the Directors. They were still not the First Members, not in any proper sense the successors of the First Members, but simply a Board of Trustees that had attempted to destroy a codonee. Neither that destruction nor the attempted transfer could give them the power which Mrs. Eddy had decided not to give them but had given to both.

There is a great deal said here in briefs and in arguments with regard to the "Constituted Authorities of the Church." That expression is used in a way to before the judgment, for it adds nothing to the state of constitution of the particular authority thus attempted to be described. The Directors were not constituted authorities of the Church in the sense that a religious society had chosen them and empowered them and continued them and renewed them as a Board of Directors or as an executive board representing the society. They were the Trustees under this deed and always remained so—never became anything else. They were not governing authorities of the church in the sense that they were the continuation of some board that owed its power to the church members. Mrs. Eddy had a complete right to establish such a board and to define its duty. But when it was established we submit that you cannot lose sight of the character which it had and always had by calling it the constituted authority of the church.

Similarly the First Members—they had their special position and their particular rights. Nothing is gained by ignoring the constitution of the First Members, on the one hand,—the formation of the Board of Directors known as the Directors, on the other hand,—bringing them together in a comprehensive description such as "The Constituted Authorities," which had no place in either of these deeds and hence has no place in the applicable law.



who are the First Members, who are the Directors. With respect to the facts in each case there is not the slightest contradiction in the evidence. The facts are perfectly clear as to who were the First Members. The facts are perfectly clear as to who were the Directors. And then you have perfectly plain English words to apply in the light of those facts and of the principles of law. They say, however, that contemporaneous evidence should be reported to show some intent on the part of Mrs. Eddy. To show some intent other than that which she so clearly defined in the deed. And they refer to a statement of Mrs. Eddy—page 49 of the book of exhibits, Exhibit 464, which is entitled a "Gift to The Mother Church and a Grant of Trusteeship." This is under date of January 15, 1898. Before I read it I will call attention to the finding of the Master that in legal effect it accomplishes nothing because on January 15, 1898, Mrs. Eddy owned none of this property. The property was conveyed to her on January 21, 1898, by the corporation, then known as the Christian Science Publishing Society, and on January 25, 1898, she executed her trust deed. Therefore this had no legal effect, but it is referred to with respect to the intent. I shall not read it through. You will observe she says:

"I hereby constitute a Board of Trustees, namely, Edward P. Bates, James A. Neal, and William P. McKenzie, all of them being residents of Boston, Massachusetts. And I hereby entrust to the aforesaid persons The Christian Science Journal, and all moneys, subscription lists, real estate, or whatever other property is connected therewith at this date."

You will find nothing inconsistent in this deed with the general purpose of the trust as outlined until you come to this general question of removal. On page 50 you will find it expressed as follows:

"If for any reason a member of this board becomes incapacitated to transact the duties of this office, his place shall, by a majority vote of the board subject to my approval (or by myself if I see fit so to decide) be declared vacant, and the remaining members shall at once proceed to elect a new member to fill the vacancy."

So far from that confirming the attempt ascribed to Mrs. Eddy by her defendants, it indicates that it has no significance at all, the exact contrary. But it shows how futile such evidence is, for no one would contend that this overruled the deed and a provision of paragraph 10 as she constituted it ten days later. The contemporaneous evidence of course is not of the slightest account, for it countervails the clear provisions of the deed, but it indicates that at that time she did not have any idea of giving either to the First Members or the Directors this power.

There is also reference to Judge Hanna's testimony, which the Master summarized in the record at page 105. That was simply testimony of a conversation at or before the execution of the deed. The Master very properly says that it could not have any legal bearing upon this clear and unambiguous provision of the deed. And when she came to execute her deed she then stated specifically who should have this power to declare vacancies.

I have through the argument referred to this power to declare vacancies as though it embraced a power of removal. That possibly may be a question. It is a question that I shall not argue because it is so unnecessary to refine the argument to that extent when it appears that whatever the power was it was never vested or passed to these Directors alone.

There is also an allusion made to the so-called removal of one of the Trustees under the publishing trust soon after the execution of the deed in the following summer. And merely to clear that up as a matter of history—it has no bearing strictly upon the legal question—I refer briefly to it.

Counsel referred to that as if it were a removal in connection with the suggestion that there had been an abstention from participation in the business of the trust. Correspondence relating to the matter will be found on pages 55-58 of the book of exhibits and it will there appear that reference was made to the absence of the third trustee, Mr. Bates, and on August 11th a vote was taken that his trusteeship be declared vacant. Then there was a meeting of the trustees (page 56) by which Mr. Hanna was nominated to fill the vacancy on the Board, and a provision that Mrs. Eddy be notified. Then there was a letter to Mrs. Eddy on August 19th, 1898, from the secretary, who refers to the election by the First Members by unanimous vote. There was subsequent correspondence which I need not detail. The nub of it was that Mrs. Eddy finally appointed, as you will see at the foot of page 58, on September 8th, 1898, Mr. Hatten. And then action was taken which expunged this provision for a unanimous vote of the First Members, which was inconsistent with the Trust deed.

The question whether Mr. Bates was removed or not is a negligible one, so far as the merits of this controversy are concerned, but to have all the facts before you, you will find in the photographic copy of the trust deed creating the Publishing Trust, wherein the acceptance of the trust by the various persons who succeeded is shown, under date of September 8, 1898, Thomas W. Hatten succeeding Edward P. Bates, resigned. So it would seem according to that if that is the official statement or the controlling statement, that there was a resignation and not a removal. There is, therefore, not the slightest basis that could be suggested in law for any estoppel with respect to the exercise of this right of removal. It had never been exercised at all except in the case of Bates, and to that the Directors had no relation. The point simply is that these gentlemen had their protection under the law of the land in executing their trust, and the

power of removal is to be determined in accordance with its terms.

Now, coming to the removal of Mr. Rowlands you will find the resolution of removal on page 44 of the book of exhibits. There are a considerable number of statements with regard to Mr. Rowlands, in attempted justification of the exercise of this power. If what I have said with respect to the power itself is well founded in fact and law then of course this whole action was abortive. If, however, it could be conceived that the Board of Directors had any power of removal this is the way they attempted to exercise it. In the first place, it should be noticed that the vote was illegal because it was not a vote of a majority of the trustees under the deed of 1892, or of the board succeeding to such trustees. That is the continued Board of Trustees.

I shall not discuss the question whether that power, assuming the Directors had it, could have been exercised by a majority. I think that is a serious question, if it were necessary to consider it.

I fail to find any ground for the same, as the Master has said that a majority could exercise that power. If they had that power they had it as a board. I shall not, however, go into a discussion of that, because it was certainly a power, if it ran to the directors at all, that ran to the four trustees under the deed of 1892. They had no power to add a fifth to their number, and in that way to create a majority of three, through which this action of removal could be taken.

Now we have, then, this board of trustees or directors, so-called, on March 17, 1918. Mr. Dittmore, who was one of the so-called deed directors, did not vote. Mr. Neal, another of the deed directors, was absent; they called him on the telephone and got his acquiescence by telephone. It would seem to be clear that if this was a power to be exercised by the trustees constituting the board of directors, their consideration together, their determination of the pertinent facts, and that acquiescence by telephone would be wholly illegal to justify participation in such a removal. Merritt was a by-law director, not a successor, as the Master has found, showing clearly the line of succession. So that there were only two of these four trustees or board of directors continuing as such under the deed of 1892 who voted for this removal, and certainly two could not remove. Therefore we say that the vote was illegal to start with.

Now, passing beyond that point, the power is a power, as you will see from the language in paragraph 10 of the Trust Deed—the power is a power to declare vacancies in said trusteeship for such reasons as to them may seem expedient. Undoubtedly that is a very broad power. Expediency is a very large consideration. But it has been here admitted, and we think it must be admitted, that that did not mean to confer an arbitrary and capricious power, or the power to act capriciously. It might be that it would be impossible in many cases to penetrate to the thought of the men exercising that power, to be able to state whether they acted arbitrarily or capriciously, but certainly if the fact were assumed, or the hypothesis established, the power to act for such reasons as may be deemed expedient would not confer a power to act arbitrarily or capriciously.

Now, what is the limitation of this power, if any exists—and we think that a clear limitation does exist? It has been well expressed here by counsel for the directors when he said that it must be expediency with reference to the welfare of the trust.

What was the determination or the criterion with respect to the welfare of the trust? The welfare of the trust must be determined by the Trust Deed, and the fundamental purpose of the Trust Deed was that the trustees thereby constituted and their successors as thereby appointed should have the responsibility of the management of that business. No one can read that deed and for a moment support the suggestion that the directors were to have the responsibility for the conduct of that business. Therefore if it appears that the purpose of removal was solely to put the responsibility of the management and the direction of the business in the hands of the directors, that would be a subversion of the trust, not only arbitrary and capricious, but directly opposed to Mrs. Eddy's intent. If that could be proved, there would seem to be no doubt that it was a case lying outside the power; for certainly a power for a reason expedient in connection with the welfare of the trust could not be used to destroy the property, and the very essence of the trust is the confiding to persons named and those elected to succeed them the powers defined by the Trust Deed. If they were faithless to that, of course the court could remove them, or, in a broad sense, if the power of removal existed here, it could be exercised, but it could not be exercised to destroy the very terms and foundation of the trust itself.

Now, referring to the action taken by the directors as it appears on page 44 of the book of exhibits, you will find a number of matters recited. Mr. Rowlands was the one selected for the attack. The Master has found as a fact, which I understand is controlling here, that he was selected because he did not have pupils in Christian Science; he had fewer friends by reason of that fact than the others in Christian Science work; and therefore they thought that they could, in the language of the street, "work" this in the case of Mr. Rowlands. They made this statement, with some attempt at justification; they attempted to state that he had not given—here it is on page 45—

"Whereas Mr. Rowlands evidently has other interests which prevent him from giving sufficient time and atten-

tion to the business of The Christian Science Publishing Society."

Now, if your Honors will refer to the finding of the Master upon that point, you will see that the Master finds that they could not have believed that to be true. He says:

"I am unable to regard the charge made as one actually believed to be true, by the Directors who made it."

"So far from suffering any disadvantages [I am referring to record page 114] by reason of his connection with it, my finding must be that the business referred to had been materially assisted by his service as one of the trustees."

They referred to his absence from a certain number of meetings. Of course it is important that a trustee should attend meetings, but the importance should not be over-emphasized, for it is well known that sometimes men of great experience are brought into boards with the understanding that they cannot attend every meeting, but that their business judgment, and their acquaintance and familiarity with affairs, will be of such great value, and their advice when important matters come up, that it is very important that they should act upon the board. Mr. Rowlands was a man of that character, and the Master finds that his relation was most helpful to the society.

But the Master finds the real point of it all, as he states, on record page 119, and I shall, with the court's permission, read only a line:

"In adopting the resolution, the defendants Dickey, Neal, Merritt and Rathvon, but not the defendant Dittmore, were acting in pursuance of a plan, as alleged in paragraph 16 of the Bill, to bring about the retirement of all the plaintiffs from their trusteeships and to install in their places trustees who would admit the Directors' final authority and manage the trust in subjection thereto."

Now the question comes up, of course, at once, whether there is any legal power, whether the courts have any right at all to inquire into the grounds of a removal, purporting to be made under such a power as this. Well, if they have not, then the trust, that which has always appealed especially to the conscience of a court of equity, has no protection at all, and the power given to save and maintain the trust can be used absolutely to destroy it. We conceive that a contention of that breadth is impossible. If the court has any jurisdiction to inquire into the reasons for the exercise of the powers, to see at least that they are not arbitrary or capricious, that is, are not reasons at all, or that they do not frustrate or destroy the trust, why, then the inquiry would be prosecuted as it has been here. Certainly the mere assertion of the removing power would not aid its exercise, because by assertion then the jurisdiction of the court would be thwarted. If you inquire into the facts and take the facts as found, then you have here the basis of this removal finally determined, and that basis is inconsistent with the trust itself.

Now, just a word in conclusion. A good deal has been said with respect to the importance of harmony. No one could dispute the desirability of harmony. But there are two conceptions of harmony. One is the harmony produced by despotic power; the other is the harmony that results from a unity of ideas and common views of religious truth. It seems to us most unjust to Mrs. Eddy, most contrary to her teachings, to assume for a moment that she relied upon the exercise of the despotic power which these directors have arrogated themselves. There is a quotation in the brief of counsel for Dittmore from one of Mrs. Eddy's writings which impressed me as I read it on page 101 of this brief, where it appears that she said in her book on "Retrospection and Introspection":

"... material organization has its value and peril. ... organization is requisite only in the earliest periods in Christian history. After this material form of cohesion and fellowship has accomplished its end, continued organization regards spiritual growth, and should be laid off."

There is a profound truth in that, and when we note the late provision of the Manual we find with regard to branch churches, in Article XXIII of the present Manual:

"The Mother Church of Christ, Scientist, shall assume no general official control of other churches, and it shall be controlled by none other."

"Each Church of Christ, Scientist, shall have its own form of government."

Mrs. Eddy believed, of course, in organization, and she selected her forms of organization, but her confidence was in the truth as she conceived it and taught it. She believed that that truth would have been a harmonizing power, that it would bring all those devoted to the truth as she taught it together in a unity of action, not through forms of organization; in fact it seems to me, and I submit, that when with her knowledge of these directors, and having already constituted them trustees of the real estate under the deed of 1892, she selected another board of trustees under the deed of 1898 for the publishing power, she feared the autocracy that might result if the entire power of organization was in one hand; she feared that when she drafted Article X, when she invested the Board of Directors with the power to declare vacancies, but the First Members together with the directors. Whatever may have been said or done later, that was her last word, spoken through the will, which spoke her intent as of the time of her death.

Now, there is a very interesting statement quoted from Mrs. Eddy in this very resolution of removal, at page 44:

"Whereas, Mrs. Eddy has declared that 'Law constitutes government'—

"Law constitutes government"—and in the next sentence she says,

"Without a proper system of government and form of action, nations,

individuals, and religion are unprotected."

Mrs. Eddy was acting under the law of the land, not attempting to thwart the law of the land. She acted, of course, in accordance with the advice given her, but she declared this trust under the law. The true harmony for this Church of Christian Science is by studying the teachings of Mrs. Eddy, conforming themselves to the truth which the members of the Church believed had been revealed to her, and then by seeking to act together in their various responsibilities, to have that unity which will promote the cause to which she was devoted.

The unity which these gentlemen wish, the unity of despotic power, the control absolutely of this entire government of Christian Science in the church and in the publications and everywhere else—that is the unity which might very well destroy the very faith or the organization for the propagation of the faith to which they profess to be devoted.

May I say a word with regard to the Attorney-General's bill? The Attorney-General's bill, as I understand it—and I shall not attempt to speak of the authority of the Attorney-General under the law of Massachusetts—the Attorney-General's bill is predicated upon a trust that has no existence. There are here two trusts, the one of 1892 and the one of 1898. Of course it is for the court of equity to see that those trusts are maintained, but these questions are before the court in Eustace v. Dickey. There is no failure of the trust in any sense; there is no failure of trustee; there is no failure of administrative machinery; there is simply an attempt to subvert the trust by taking powers these directors that were never given them with respect to it. The Attorney-General seeks to find a trust in the church. What trust? Of what property? Is it a trust of the property conveyed by the deed of 1892? Then there is no such trust except as defined by the deed of 1892. Is it a trust with respect to the property and business conveyed by the deed of 1898? Then there is no trust except that conveyed and defined by the deed of 1898. Is there any other trust? What property? What is it? It is not disclosed.

We conceive that the bill of the Attorney-General has no standing in this court; it reveals nothing which invites the jurisdiction of the court. There is a suggestion of evidence; there is a suggestion that in August, 1892, before the deed of September 1, 1892—that is, a suggestion in the Attorney-General's bill—it has no place in the record otherwise, that is, in the record of Eustace v. Dickey. It is not found—there is a suggestion that there was a meeting, a preliminary meeting for organization, and that four men were elected directors of the Church, and these were the same four who later were made directors in Mrs. Eddy's deed. But what organization was effected is shown by the meeting to which I have called your attention, this meeting of September 22, 1892, defined by the First Members themselves as the organization. That was their beginning, as defined by themselves, and you will find it in every historical sketch, in every one of these Manuals issued with the authority of Mrs. Eddy. And it also appears in the deed which I read to the court (on page 77, column 2), that—

"Said Church is a voluntary association, and she proceeds to describe the functions of the trustees."

The church was organized on September 23, 1892, established its rules at that time, states it was being organized as of that time, but what is more, and controlling, these Directors are the Directors appointed by the Deed of September 1, 1892, and the successors elected by the Trustees and their successors under that deed, themselves a self-perpetuating board that we have here to deal with, that hold no authority whatever from anyone but the donor in the Deed of Trust, and through the Deed of Trust of September 1, 1892, and their own acts, except they have sought to arrogate to themselves a power through the invalid attempt to abdicate or transfer power on the part of the First Members.

For these reasons we ask for the relief prayed for in the bill of complaint on the part of the publishing Trustees.

Mr. WHIPPLE. May it please the court, all the issues from the standpoint of the Trustees have been so comprehensively and satisfactorily covered by what Mr. Hughes has said that the Trustees will offer no further oral argument.

RUGG, C. J. Mr. Krauthoff, you may argue on behalf of DAISY L. KRAUTHOFF et al.,

by Edwin A. Krauthoff, Esq.

Mr. KRAUTHOFF. If your Honors please, shall address ourselves at the outset to the bill of complaint in No. 1396, entitled Krauthoff v. Attorney-General. In doing so we desire to remind the court that that suit comes upon reservation upon demurrers to the bill. Much of the discussion that has preceded us has gone into the realm of fact as to what was and what was not true. We need only to remind the court, in approaching a consideration of the Krauthoff bill, of the well-settled rule that a demurrer to a bill admits the truth of every fact that is therein well pleaded.

At the outset the Krauthoff bill is challenged by everybody connected with this litigation, as to our right to be here at all. So I shall, before taking up the time of the court as to the details of the bill, state the legal theory which permits us to address this court. We are met with a situation unprecedented in the annals of jurisprudence. A great church, extending throughout the world, is being litigated; its affairs are being subjected to a scrutiny that no institution on earth could survive. Everybody connected with that litigation, except ourselves, unites in the contention that in

those circumstances the church shall not be heard—and that, if your Honors please, in a Commonwealth which has given to the world the immortal definition of due process of law, that law which proceeds upon inquiry and hears before it condemns.

We have now, with the disappearance of the Hullin intervention to that oblivion from whence it should never have emerged, four contending bodies left. With the passing of the Hullin intervention, we trust that we may have heard the last of the theory that First Members may be claimed to exist. That dismissal is a recognition that Mrs. Eddy did do something in the course of her natural life—she did abolish First Members.

We have heard a great deal about the mistakes that she made; we are privileged to tell you of her accomplishments.

We have here four contending factions among themselves, all of which disagree bitterly about everything that touches their personal power and place and position, and all agree upon one proposition, and that is that the real parties in interest, the members of the church, shall have nothing to say about it. The Trustees of The Christian Science Publishing Society are publishing literature in buildings that belong to us. They are asking us to subscribe to literature that they publish. They claim that under the Church Manual it is our duty to do so without question and we have no right to establish a publishing house of our own. When we approach a court and say, that being true, we desire to remind the court of the conditions under which they occupy our buildings, of the conditions under which we are required to subscribe to their literature, our answer is, "Why, you are merely the beneficiaries of an indefinite public charitable trust and as such have nothing to say about it."

Now, if your Honors please, as beneficiaries of an indefinite public charitable trust no power on earth can compel us to subscribe to their literature. A public charitable trust as to its beneficiaries is not a contractual institution. A man who is a beneficiary, and indefinite beneficiary of a public charitable trust, enters into with respect to it no contractual relation. We stand before this court as parties to a contract. We say that, under this Church Manual, it is our contract, and that so long as they operate under it we are required to subscribe to the literature of The Christian Science Publishing Society under Article VIII, Section 14, of the Church Manual. I will call attention to it later in the course of my argument. I shall only mention it now, in passing, in order to point it out. In a recent issue of the Sentinel, published by The Christian Science Publishing Society, they quoted a portion of Article VIII, Section 14, of the Church Manual. I shall read all of it for the information of the court:

"It shall be the privilege and duty of every member, who can afford it, to subscribe for the periodicals which are the organs of this Church; and it shall be the duty of the Directors to see that these periodicals are ably edited and kept abreast of the times."

I read the "semicolon" because Mrs. Eddy taught the value of punctuation, as she taught the value of everything else. In The Christian Science Sentinel of November 27, 1920, we have a testimonial which reads as follows:

"In the Church Manual, Article VIII, Section 14, Mrs. Eddy says: 'It shall be the privilege and duty of every member, who can afford it, to subscribe for the periodicals which are the organs of this Church.'"

That is a word about the duty of the Directors to see that these periodicals are ably edited and kept abreast of the times; but these Trustees undertake to publish, as an organ of our church, a periodical which deliberately misquotes our church Manual, and send it out to our Reading Rooms, to be sold in our churches, as Christian Science literature. And when we stand at the bar of the courts of Massachusetts to say that so long as they do that we have some right to be heard, we are met with the plea that it is no concern of ours—what is done to the literature that we subscribe for and which is circulated in our churches.

The next argument that we are met with is on the part of John V. Dittmore. Mr. Dittmore comes into a court to be restored to a church office, a Director under the Manual, to an office under a deed upon a religious trust, the Deed of September 1, 1892, which we say is one office. Being restored to that office, he exercises jurisdiction over us as members of The Mother Church. He has the power to tell us what to do under the Church Manual, and what not to do.

Mr. Dittmore tells us that he is one of two kinds of a Director: that he is one of a Deed of September 1, 1892, and that he is one of another kind under the Church Manual, to which we are contracting parties; and yet when he comes to this court to argue that which we shall show, it sustained, would result in the utter destruction of the very trust that he claims to be a Director of, we are told that we have no right to be heard, that we are to be subject to his jurisdiction without ever having anything to say about it, and that in a religion of which Mrs. Eddy says that the government of another church depends upon the common consent of the governed.

When in those circumstances we turn to the Christian Science Board of Directors and ask them to uphold the rights of the members of The Mother Church, what is the answer? Why, we will not file exceptions to the report of the Master which will present to the Full Bench of the Supreme Judicial Court of the Commonwealth of Massachusetts the fact that the religion of Christian Science includes the Church Manual. That is the answer of the Directors to us as church members—when their resolution of removal is based upon the ground that Mr. Rowlands did not observe the tenets of the religion of Christian Science.

What do we find next that our friends the Directors are doing to the

church members? Secretly circulating through the publication committee of The Mother Church the most false and deceptive statements as to the law of this case that could be well imagined—a direct contempt of court in that it is not a full and accurate statement of your decision in Chase vs. Dickey—and appealing to the field of Christian Science to support the Christian Science Board of Directors; and in that members of The Mother Church are expected to remain silent and permit that to go without ever having any right to be heard in court.

Then comes the Attorney-General of the Commonwealth of Massachusetts, in all the plenitude of his office as the Attorney-General of the Commonwealth, and tenders the remarkable proposition, never before heard of in a court of justice, that he is entitled to decide for himself that our church as a church—not the gift to it, not the properties that it holds upon a trust—but that the church itself constitutes a public charitable trust, of which he is the sole director-general, administrator at large, and, with respect to a proceeding to administer, not even the church itself has a right to be heard—and that in a Commonwealth and under a constitution which says that in this Commonwealth the executive shall never assume judicial power, to the end that this may be a government of laws and not of men. A bill false upon its face, a bill denying the date of the organization of our church, when he knew better, because the facts were in his possession; a bill which fails to plead fully the abolition of the First Members, and he knew better when he wrote the bill. And today he presents as the deputy assistant Attorney-General pro tem counsel retained by some members of The Mother Church, because those members of The Mother Church entertain views that accord with those of the Attorney-General and the Directors of The Mother Church; and other members of The Mother Church who stand at the bar of this court are told that they are merely indefinite public beneficiaries of an indefinite trust, and that their principal duty is silence. Ah! Not in every respect. We are to pay our per capita taxes, and support this trust which the Attorney-General is to administer for us.

Whence did this idea ever originate, that the Attorney-General was the sole manager of all the churches in the Commonwealth of Massachusetts? It not only means the churches, but it means every educational institution, it means every eleemosynary institution—all are to be administered upon a petition entitled "Ex parte Allen." This court is not to be permitted to hear anyone in opposition to his views, under his theory, because he says that everybody that has anything to do with Harvard College is a mere beneficiary of a public trust, including President Lowell, and if the Attorney-General files a bill the court can become a rubber stamp for the Attorney-General and enter a decree as prayed without hearing anybody in opposition to it.

Now, where did that start? We say, without fear of contradiction, that there is not a reported case in America in which church members have been denied the right to be heard. We say that we have examined the books day and night, and have cited every case that we could find, so much so that we are subject to the criticism of overloading this court with authorities. The Attorney-General of Massachusetts cannot find a case where an Attorney-General ex parte administered the affairs of a church; he cannot find a case where he ever administered it at all. I will tell you the three cases in which an Attorney-General attempted to run the affairs of a church, so far as the reported books are concerned.

One was in the State of Illinois. A Universalist Church sold its property by the vote of its entire membership, and divided up its proceeds among themselves. The Attorney-General of the State of Illinois brought a proceeding to claim that that church was a public charitable trust and that it had been continued as a church. The Attorney-General named the church itself as a party defendant. Mr. Allen has not named a party defendant in the suit that he has brought to transform it into that which it is not.

In that case the church was an incorporated body, and the court distinctly ruled that that church, being incorporated, it represented its membership. The First Church of Christ, Scientist, of Boston, Massachusetts, is not a pure corporation. It has under Section 12 of Chapter 37 of the Public Laws of Massachusetts the limited corporate capacity to take property. In its governmental aspect it is a voluntary religious association composed of its members. No member, as such, is named as a party defendant in the Attorney-General's bill. The church in its corporate capacity is not named as a party defendant. He has named people who are members, but not as representative of the membership; and he has named them because they are plaintiffs in lawsuits that he asks to be enjoined, in order that he may have a free field for the exercise of these unlimited facilities that he has lately discovered he possesses.

In that case the court said that the church in its corporate capacity in Illinois, being before the court, it represented its membership; but inasmuch as there was no other church that approximated to the Universalist Church in its belief, or in its faith, or in its doctrine, there was nothing for the court to do but to dismiss the bill and allow the membership of that church to divide its property among themselves.

The next case in which an Attorney-General undertook to administer the affairs of a church was in the Dublin case in New Hampshire, where relations were present. This suit is not brought on the relation of a member of the church—the Attorney-General's suit; no member would have anything to do with it. In fact, the Hullin intervention was withdrawn

yesterday so that Mr. Choate would be relieved of the embarrassment of appearing as counsel for members and for the Attorney-General at the same time.

But in the Dublin case the members of the church were named as relators, and appeared and were heard. In these late Bromfield Street church cases, the Attorney-General of Massachusetts, Mr. Allen's immediate predecessor, Mr. Atwill, proceeded under the case of Attorney-General vs. Armstrong, in which relators were named, in which counsel for church members were heard, in which the Attorney-General of the Commonwealth said that the right of the public to attend churches in this Commonwealth existed merely by courtesy, and in which this court at the instance of the Attorney-General of the Commonwealth, held that the proceeds of the sale of the Bromfield Street church belonged to the members of a particular local religious society. We are now told by the Attorney-General of Massachusetts that property in Massachusetts belonging to churches no longer belongs to them, but belongs to an indefinite public beneficiary.

Now, if your Honors please, to clear this at the outset, we do not claim to be the beneficiaries of a public charitable trust, as members of The Mother Church, and we are not assuming to appear here in our capacity as indefinite beneficiaries of a public charitable trust.

Whenever this court strips the membership of this Church of its character of members, reduces them to the status of indefinite beneficiaries of a public charitable trust, go close up the Church.

The Attorney-General says he wants to run a church and he begins by excluding members from it. Most people when they start a church are looking for members. The Attorney-General starts by turning his back upon them and we are to have the novelty of a church without a membership.

What does that mean? We do not deny his right to appear. We named him as a party defendant to our bill brought on the 21st of March, fifty-six days before his bill. He has not named us as a party to his bill. He has not named any members of the Mother Church.

Let us see, now. What do the statutes of the Commonwealth of Massachusetts say about this? Section 6 of Chapter 37, Revised Laws:

"No conveyance of the land of a church shall be effectual to pass the same, if made by the deacons or other officers of the church or of a committee of the church appointed for that purpose, or if made by the wardens without the consent of the vestry, or if made by the trustees of the Methodist Episcopal Church without the consent of the quarterly conference."

You are asked by judicial opinion to amend that statute to read: "No conveyance of the land of a church shall be effectual to pass the same, unless made upon the ex parte application of the Attorney-General of the Commonwealth of Massachusetts, from which church members are to be excluded." That is what you are asked to do by the Attorney-General of the Commonwealth of Massachusetts in this case.

We are told here in section 1:

"The deacons, wardens or similar officers of churches or religious societies, and the trustees of the Methodist Episcopal churches, ... shall ... be deemed bodies corporate for the purpose of taking and holding in succession all gifts, grants, bequests and devices of real or personal estate, made either to them and their successors, or to their respective churches."

That should be changed to read that they "shall be deemed the agents of the attorney-general of the Commonwealth of Massachusetts for the management of the church and subject to his order and direction upon an ex parte application presented by him to the court." The whole statute is to be rewritten in order to confirm this newly discovered theory of the powers of the Attorney-General of the Commonwealth.

What is the excuse for it? It is said that he has certain powers under the statutes of the Commonwealth—we are not denying that—to enforce trusts of a public nature. We agree with him that that statute does not have anything to do with the case at all, that his powers are much broader than the statute. The history of the statute is interesting. At one time the Commonwealth of Massachusetts, in 1847, concluded to do without the office of attorney-general and created district attorneys; and then, to be right sure that the power to administer a charity was not lost, they provided that the district attorneys should have the power to do it. And that was the first case in this state where a district attorney or the officer of the Commonwealth brought a suit to administer a charity, in 2 Cushing.

Then, when having lost the attorney-general, the Commonwealth realized the mistake it had made and how unfortunate it was without any attorney-general, it re-created the office. And then, to be right sure that he had not been shorn of his ancient, honorable privileges and powers, the legislature then passed the statute giving the attorney-general certain power, and this court has decided at least twice that this did not interfere in the least with all the dignity that attended the office of attorney-general in England. So we named him as defendant as representing to its full extent whatever interest the public may have in this situation. We deny that the public has all the interest and that we have none.

Up to the case of McAllister v. Burgess, 161 Mass., this court was committed to the doctrine that a church was a private institution. It is easy to understand that when you have regard to the history of the Commonwealth. I visited Christ Church in this city one day and I saw the pews. On them were the names of So-and-so, and So-and-so. I have read the cases where they talked about the proprietors of a meetinghouse. It was inter-

posed that Mr. Choate would be relieved of the embarrassment of appearing as counsel for members and for the Attorney-General at the same time.

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esting in that old New England idea of religious freedom, of individual right, of individual ownership, of the individual right of man to worship God according to the dictates of his own conscience, that it should be admitted that a church, as said by this court in the 14th Gray, was the property of its owners. And in the case of Attorney-General v. Merrimack Manufacturing Company, where an industrial concern established a church and then ceased to use it as a church, and the Attorney-General claimed it belonged to the public, the court said the church belonged to its owners.

The other cases that grew out of the Old South Meeting House—Parker v. May, 5 Cush., way down to the 13th and 14th Allen, all sustained these principles.

If that situation of affairs in 1892 Mary Baker Eddy wrote a deed, September 1, 1892, at a time when there was not a line in the books of the courts of this state where there was any intimation that even a gift to a church was to be regarded in the light of a public charity to be administered by the Commonwealth.

Then came McAllister v. Burgess, in 1861 Mass., in which this court, dealing with a gift to a church, held that it was not void as against the rule against perpetuities. No one would now contend that it is. We have discussed that in our brief and we have pointed out that under the gift to a church there is a present vesting of the interest. That is what makes it immune from the rule against perpetuities and not because it is a gift to a charity, because an intermediate gift to an individual for a period within the rule with a gift over to a charity for a period beyond the rule would be void in toto.

Now after McAllister v. Burgess—nobody was talking in that case about the right of a church to be heard—a church was a party to that suit, the Attorney-General was a party. He didn't claim to be the only person entitled to be a party or even the only person entitled to be the plaintiff. After McAllister v. Burgess, in the 161 Mass., this court followed the rule of Attorney-General v. Clark, in which the Attorney-General undertook to administer the affairs of a church and this court said that where there was a recognized church body competent to protect its own affairs the Attorney-General had no standing with respect to the affairs of a church and the bill was dismissed. That happened in 1867 Mass.

Then came the case of Osgood v. Rogers, 186 Mass., where two bequests for two different churches were created by the same instrument. One of the churches ceased to function; it sold its property without the consent of the Attorney-General and without the Attorney-General having anything to do with the sale of its property. And then the question came, what should be done with the proceeds; and in a suit to which both churches were parties the property was given to the remaining church. That was 186 Mass.

Then came the case of Sears v. Attorney-General, 193 Mass., where it was argued that a gift to a church was a public charity; and we are not denying that this gift which we are talking about today is upon a religious use in which the public has an interest. We are saying that that gift is to a body of individuals of which we are one. That being true, we owe to the property that is conveyed to us upon a trust the duty of seeing that that trust is enforced; and that trust being created, and that duty vesting in us, the law gives us the right to disburse it, not with a view of taking this church and converting it into money and putting the money into our pockets and dividing it among ourselves. No, that is not what we ask. We ask that this court, when Mary Baker Eddy, the Leader of Christian Science, is attempted to be stripped of everything that pertains to her in her authority as such and to be reduced to the status of a person giving away real estate and printing shops—we stand here to say that anybody that will allow his counsel to make such an argument in his presence deprives himself of the name of Christian Scientist. And we include in that the Christian Science Board of Directors, who fall to stand at the bar of this court and uphold the religion of Christian Science as including the Church Manual. We are here as members of The Mother Church to enforce the trust upon which this property is held and in which the public have an interest, because we, the members of The Mother Church, are the real beneficiaries of the property. And in Osgood v. Rogers this court did not deny the title of a church.

In Sears v. Attorney-General this court did not deny the right of the trustee to appear. He was the plaintiff. This court did not deny the right of the church interested in the trust to appear. That was one of the defendants. And the court held that a gift for the benefit of the widows and orphans of former rectors was a gift upon a strict charity and therefore subject to the cy pres doctrine. That was in the 192d.

After that came Saltman v. Nesson, 201 Mass., in which this court entertained a suit brought by church members without any attorney-general being present, in which church members were heard upon the merits of the claim that a church by-law regulating use of the church property was null and void.

Then came Chase v. Dickey, in Chase v. Dickey, if your Honors please, the Attorney-General did not appear to defend the trust; he appeared to defend it. He appeared not as the representative of the beneficiary of a public trust; he appeared as the law officer of the Commonwealth to claim that a conveyance to a church was void because it related to property that produced an income of more than \$2000 a year. The directors of The Mother Church stood before this court in that case as the persons seeking to enforce it, and your Honors will recall the care with

which Chief Justice Rugg pointed out that there was a clear distinction between a gift to a church for its own use and a gift to a church upon a trust of a public nature; that one of them was void if it produced more than \$2000 a year and one of them was valid. And we are told here today in all solemnity that when Chief Justice Rugg spent that time as he did—I do not mean to say that anybody is saying this in so many words, but the legal effect, the logical contention, is that Chief Justice Rugg spent all that time in vain; that he could have said at the outset that no matter what a church owns in the Commonwealth of Massachusetts it is not a public charity and that ends the discussion as to whether it produces \$2000 a year or more or less. In that case the right of a church to hold property which did not produce an income of more than \$2000 a year in its own right was recognized and upheld by this court.

Then came the Bromfield Street Church cases, appearing before this court three times, at the end of which the right of the church was recognized. The court in a bill brought by the Attorney-General at the relation of church members, in which church members were heard, held that the church belonged to the members of the particular congregation for whose use and benefit that deed was made.

Need I remind your Honors of the great case in the House of Lords of England that was argued eight days on one occasion and nine on another, in which the members of the Free Church of Scotland were held entitled to protect the church of which they were members? Nobody in all that world of learning—Lord Halsbury, Lord Halverston, Lord Daves and Lord James, with all the counsel in the case—nobody ever thought of sending for the attorney-general. Nobody ever thought of saying to church members, "You have no right to be heard."

Take the great Mormon Church case, where the United States in the exercise of its power revoked the charter of the church, took charge of its property and proceeded to administer it. Members were permitted to intervene and be heard. And when a scheme came up for the administration of it, the court, instead of giving it to the public at large to maintain public schools in the territory of Utah, gave it to the members of the Mormon Church to be used for the legitimate purposes of that religion.

Take the Cumberland Presbyterian litigation, heard in twelve states, part of it decided by Mr. Justice Hughes of the Supreme Court of the United States. In two cases before him in that tribunal the right of church members to bring suit in the Commonwealth of Tennessee in the Federal Court was recognized without any intimation that the Attorney-General of Tennessee was the only party that was able to act.

The great church litigation—think of it—think of the novelty of this discovery—is all to be wiped out by the simple device of treating every church as the property of the Attorney-General of the Commonwealth of Massachusetts.

So much for the theory of the Attorney-General that he is the only person that has a right to be heard.

Now, if your Honors please, as we have said, we brought this suit as church members. We bring it upon the theory that we are the beneficial owners of this real estate. And at the outset we want to remind this court of Eustace v. Dickey only involves the title to two offices, the case of Krauthoff v. Attorney-General involves the title to the church property. There are in this city two pieces of property, one triangular in form, surrounded by streets, on which is built the edifice of The Mother Church. There is another piece of property across the street which is occupied by The Christian Science Publishing Society. In the case of Eustace v. Dickey, in the list of exhibits at the back of it is a map of it. The title to that property was acquired through various deeds. Those deeds are set out in Eustace v. Dickey and under an order of Mr. Justice Braley expediting the printing, they are a part of Krauthoff v. Attorney-General.

We are not here asking for any abstract declarations of religious doctrines. Whenever we want to know what Mary Baker Eddy taught in Christian Science we do not go to a law office to find out and we do not go to towns outside of Boston to select eminent counsel to advise us what Mary Baker Eddy meant when she told us what to do. We turn to the words and works of Mary Baker Eddy to find out what Christian Science is, because it is essentially her individual discovery, her individual demonstration. She knew more about it and knows more about it than anybody that ever lived, and she knows all about it because she taught it with complete demonstration and nobody knows anything about Christian Science except as they have learned it in the way that she has pointed out. So it is not necessary for us to come into a court to ask for abstract declarations of religious doctrines. We are not here asking any protection for our civil rights as members of The Mother Church. We are asking at the bar of this court that this property dedicated to the promotion and extension of the religion of Christian Science shall be hereafter administered for the promotion and extension of the religion of Christian Science and shall not be promoted and administered to its destruction.

If your Honors please, when counsel of the eminence and ability of former Judge Hughes, of Mr. Thompson, retained by Christian Scientists, appear at the bar of this court and solemnly exclaim that Mary Baker Eddy did not know what she was doing when she wrote certain documents, there is only one thing in common honesty for those people who have those views to do, and that is to cease to be Christian Scientists, because that declaration takes them effectually out of the religion.

We had a lot of discussion yesterday

about whether Mrs. Eddy removed Mr. Rowlands, whether or not the directors did it in good faith. Why, Mr. Rowlands was removed the day that Mr. Hughes and Mr. Whipple and Mr. Strawn told Mr. Rowlands that he need no longer obey the Church Manual, and when he accepted that invitation, as a practical effect he tendered his resignation and advertised to the world that he was no longer a Christian Scientist. There is no undivided loyalty about it. If you were examining a person for admission to citizenship and you asked him, "Do you believe in the Constitution of the United States?" and he should say, "Well, I shall have to go down and consult Sherman L. Whipple to find out how much of it is really valid," would you admit him to citizenship? We do not ask the Attorney-General of Massachusetts to advise us what constitutes Christian Science.

We have here the Concordances to Mrs. Eddy's Works, which have every word in all of them. If Mr. Allen can find the word "Attorney-General" in anything that Mrs. Eddy said, he is welcome to the consolation that that may bring him. She said, "Follow your Leader." How? As a human being? In her personal capacity? No. "Follow your Leader only so far as she follows Christ." We shall contend that this court has that privilege of following the leadership of Mary Baker Eddy in the enforcement of the execution of the trust and we shall assume, without fear of contradiction, that it was possible for her to come into this room in the flesh, this lawsuit would stop! because in her presence no one would say, as Governor Bates said yesterday, that she was not the Leader of Christian Science in her lifetime; no one would argue, as Mr. Thompson said, that she did not understand the law when she wrote certain instruments, and that certain instruments that she wrote are invalid; no one would talk, as Mr. Justice Hughes did, about these by-laws being suggestions and recommendations, and having her approval, and about the arbitrary exercise of power by directors who followed her commands. The lawsuit would stop, because in her presence there is not a litigant here today that would dare to say that which she expressed, in a form which she deemed authoritative, was not valid and binding.

Then we have a curious proposition. We are told that there is such a thing as the law of the land, and that this law of the land is something that tells us that we cannot have a church in the way that we want to have a church. It is all right for us as Christian Scientists to have a church Manual if we want to; it is all well enough for us to be good little children so long as we want to be good; but just so soon as we become bad, our religion has nothing more to do with us, and there is nothing for us to do but to employ a lot of lawyers, who have no knowledge of Christian Science, and then go to a court and carefully exclude from that court everything that the religion has to do with the case, in the hope that, having been punished through our experience in court, we may thereafter again become good.

We proclaim the presence of an Infinite God! We proclaim that there is no law of the land distinct from the law of the Church, for the law of the Church is either valid under the law of the land, or it is not law. We point with pride to the statements of Mary Baker Eddy—

"I love Boston, and especially the laws of the State whereof this city is the capital. Today, as of yore, her laws have befriended progress."

What she then said is true today, and will be true for all time to come, for Mary Baker Eddy wrote not for a single day, nor for a single hour, but she wrote for eternity. She tells us, "I uphold the laws of the land."

She tells us that the law of the land and the law of God is the same thing; and if it is not the same thing, as law-abiding citizens we have no Church.

Now, if your Honors please, we proclaim in our brief this doctrine upon which we rest this case, that in the enforcement of a trust upon a religious use, the court will respect and protect the religion to which the use relates. That is almost like telling you that 2 and 2 make 4; and yet that is a complete answer to this case. We are not talking about a legal deed to real estate; we are not talking about a private donor; we are not talking about a printing shop that somebody named Mary Baker Eddy established. So far as the printing shop is concerned, it would be just the same as if her name had not been Mary Baker Eddy. We are talking about a religion, a religion that gives these deeds all of the life that they possess, whether in this court or elsewhere; because unless those deeds were executed upon a religious use they would all be void under the rule against perpetuities, and we would not be here to talk about it; and if they were not executed upon a religious use there would not be a single person in the world that would pay a dollar to the Church to maintain and sustain it or subscribe to the literature.

We have heard a good deal about this deed of September 1, 1892, being complete in itself, and about the deed of January 25, 1898, being complete in itself. Suppose that it were physically possible to tear those pieces of paper out of here, and say to Mr. Dittmore, "Go and run your deed of September 1, 1892, all by yourself, and complete within yourself," how far would he get? Suppose that we could say to the trustees of the Publishing Society, "Go and run your deed of January 25, 1898, all by yourselves," how far would they get? That is not what they are asking. The trustees of the Christian Science Publishing Society are demanding the right to be known as the Publishing Society of the Christian Science movement, and to have everybody else excluded from it; and Mr. Dittmore is demanding the right to compel the church members to obey

the Church Manual, in order that, if he be a director under the deed, he may have some income to manage the Church of which he is to be a director.

All the acts of Mary Baker Eddy are to be construed as one harmonious whole, each one in case of variance displacing the one which preceded it.

Now, then, in doing that, we do not ask for any rule of law applicable to Mary Baker Eddy that is not applicable to anybody else in like circumstances and conditions. We do not ask for any rule as applied to Mary Baker Eddy in her individual and natural capacity as the holder of the legal title to real or personal property, that does not apply to anybody else that holds the legal title to real and personal property. We claim for her no supernatural existence. We claim for her just what every religious leader has the right to have claimed for him, just as your Honors have the right to say that when Henry K. Braley signed the injunction in this case it was the Supreme Judicial Court of the Commonwealth that spoke, and not Henry K. Braley in person. Suppose, if your Honors please, that in the fullness of time Mr. Justice Braley had retired from this court after he had signed the injunction, and someone was brought before the court for violating it, would it be any answer to say that Henry K. Braley signed that injunction while he was living; he is not living now; this injunction does not operate any more? Yet we are told here in all solemnity that governmental acts signed and executed by Mary Baker Eddy, the sole governing authority of Christian Science, have no more force or effect now because she has ceased to manifest motion in her physical body. Why, if your Honors please, it is a little difficult to view that with equanimity, because if anybody admitted that to be true Christian Science would be at an end. And I am going to do these Christian Scientists who have followed these Philistines, the lawyers, who have not studied Christian Science—I am going to do them the honor to believe for the present that they do not believe anything of the kind; that they have permitted themselves to be deceived; and I am going to include the directors in that, and believe that they have permitted themselves to be deceived by the idea that when you have a lawsuit you bid farewell to God and religion, and turn yourself over to a lot of lawyers, who boldly proclaim that a court has no jurisdiction to entertain questions of religion, and then hope for some day when, relieved of the lawyers of the court, you may again become a religionist. That, if your Honors please, is a slander upon a court. I say that because in the work that we have done in this case as church members we have traveled far afield, we have talked with earnest, prayerful Christian Scientists, and it is with humiliation that we come to this court and state that people have said to us, "Well, what are we going to do about it? The court has issued an injunction, our directors have been enjoined: what are we going to do? What are we going to do about it?" they said, "It is in court." One man said, "Does it make any difference how we get it out if it was wrong to get it in? What are we going to do about it? It is in court." I will tell you what we are going to do about it. We are going to present to this court the material—we have presented it in our brief—that will enable this court to continue to recognize in the future, as in the past, that when this court opens with the invocation, "God save the Commonwealth of Massachusetts," it means that God is present here and now to save the Commonwealth of Massachusetts, including the Mother Church of Christian Science, The First Church of Christ, Scientist, in Boston, Massachusetts. He is here to save this court from becoming the victim of specious reasoning. He is here to save this court and to enable it discharge the duty which the judges of this court assumed when holding up their hand and taking their official oath they said, "So help me God." We are doing it upon this legal theory. We have outlined the right of members of the Mother Church to appear in this court, the legal theory, and because of the immensity of the proposition that I am about to state, and in the desire to be entirely accurate, I shall read it from my notes:

As a natural person, and in her individual capacity as the holder of the legal title to real and personal property, Mrs. Eddy never attempted to alter the legal effect of or revoke any instrument executed by her. We are told of the Saviour of mankind that He was in all things obedient to His parents. He observed all the ordinances of the religion in which He was born, including the last one. Mrs. Eddy never violated the human law. She enjoined upon her followers that we should not violate the law of God. And we are in our capacity as church members, but we are not unmindful of the fact that we have had a legal training and a legal education, and that our position as members of the bar in other states would prevent us from saying to this court anything that we did not believe to be true as lawyers. And we said, when we were met by that proposition—I said, when I was met by that proposition—Could I be a Christian Scientist and a lawyer at the same time?—I decided that I could; and we are today, in what we said to you, going to no Christian Scientists and lawyers at the same time, and we are going to say, and we say it now, that after the days and the nights spent in the law library which have enabled us to bring to this court this document, that we are glad to say that Mary Baker Eddy is just as good a lawyer as she is anything else, and that everything that she did, in the way that she did it, is legally valid. Why? We must have regard to her governmental capacity. Nobody can talk about Mary Baker Eddy as the holder of legal title to property; nobody can talk about her as the donor of real estate, or the giver of things, and get anywhere; for she never asked anything in that particular; she did not say, "Follow Mary Baker Eddy," she said, "Follow your

Leader," with a capital "L"—"Follow your Leader." Who? The Leader of Christian Science. She in Christian Science is the absolute monarch; everything that she does in Christian Science is a part of the religion of Christian Science, because it came to the world through her.

Now, if your Honors please, we do not expect you as judges to decide that Christian Science is true. Nobody is asking here today to convert you to the doctrines of Christian Science. We are asking you as judges to recognize that that is what Christian Science teaches as to its adherents, and that anyone who claims to be an adherent of Christian Science must accept at the outset the absolute authority of Mary Baker Eddy in every particular. Of course it may seem strange in these modern days that we should talk about a religion which is the projected light of a single individual. But that is not anything that is new in the history of the world. Martin Luther gave to the world the Lutheran Church. John Wesley gave to the world the Methodist Church. Alexander Campbell gave to the world the Christian Church. Nobody can talk about the Presbyterian Church without mentioning the name of John Calvin. Nobody can talk about the Baptist Church in this country without thinking of Roger Williams. But in Christian Science Mary Baker Eddy stands unique in the fact that she discovered Christian Science in her personal experience. She gave it to the world in her textbook, in her teachings, in her writings, in her Manual. There is not a thing in Christian Science that she did not establish and did not give to her loyal followers. She taught, she proclaimed, she made good, she demonstrated, that through following her teachings in their entirety, not as advised by counsel, from time to time, nor as administered by the Attorney-General of the Commonwealth of Massachusetts, but as taught by Mary Baker Eddy, it is possible for us, while yet in the flesh, to have such an understanding of the presence of an infinite God that sin, disease, are reduced to their naked nothingness, and sick are no longer present to our senses. That is what she taught. She taught that it was possible for her to do what Jesus of Nazareth did, and she made good as to everything except at this time of actually raising a physical body from the dead. People have approached the symptoms of death, have been given up to die, and through Christian Science have been restored to health and to strength.

Now, that is what she taught; that is what she did. Is that wrong? Who is going to paralyze that? Who is going to say that I threw a rock in the window and helped break that church? Nobody. Mary Baker Eddy told us that the gates of hell should not prevail against the church that she established, and we have not approached that yet in this case.

Now, if your Honors please, that is what she taught. She is entitled to a fair chance to make good. She is entitled to have that truth perpetuated to the world in the form in which she gave it until somebody else appears, and we do not think that they ever will appear, that can tell it a better way; and we who have felt the healing power of the truth that she taught are entitled to have the form of government that she established for us preserved. We do not ask anybody to join our church. We maintain no propaganda. We do not interfere with the religious rights of any human being. But we do say that we have a right to worship God according to the dictates of our own conscience, and if that conscience tells us to accept unreservedly and absolutely the teachings of Mary Baker Eddy as the leader of Christian Science, it is our privilege to do so, and those who do not agree with us have the right to go out and call themselves something else, if they want to. She used the word herself, she adopted the word, the word of unfair competition, the word would be regarded as so indissolubly connected with Mary Baker Eddy that nobody could claim to be entitled to be called a Christian Scientist who does not follow the teachings of Mary Baker Eddy in their entirety, without variableness, without shadow of turning, and without regard to legal advice.

Now, then, having regard to her leadership, this Manual has been talked about here as church by-laws; it has been talked about as rules of government for the church. Judge Hughes said something about Mrs. Eddy's recommendations and her suggestions.

Why, if your Honors please, the Church Manual in Christian Science stands as the inspired word of God, revealed unto Mary Baker Eddy, not only for the conduct of her affairs of church but the conduct of our affairs wherever we are or whatever we do. It binds me as a member in this court; it bound me when I severed my connection with The Christian Science Board of Directors. It stands as the inspired word of God and is indissolubly connected with the religion of Christian Science.

Mr. Thompson attempted to argue here yesterday that it was not a part of the religion because he said it required us to pay a per capita tax of one dollar a year. Why, in Malachi we are taught to bring all the tithes into the storehouse. God demands of His children that they bring their substance unto Him. To say that this Manual is not a part of the religion of Christian Science because it enjoins the paying of a per capita tax is to admit one's ignorance of what the Manual really is. Mrs. Eddy taught that it was included within the religion of Christian Science. We plead that as a fact in our bill and it is admitted by the demurrer to it.

So, if your Honors please, we start with the proposition that this Manual is the revealed word of God unto Mary Baker Eddy for the government of the Christian Science movement; and, that being so, it is an essential and integral part of the religion itself.

Someone said yesterday that Mrs. Eddy changed her mind from time to time. Why, Mrs. Eddy never taught us that it was the mind of Mary Baker Eddy that was leading us, as Moses led the Children of Israel from the land where they made bricks without straw to the land flowing with milk and honey. She taught us that she was revealing the mind of God. As she wrote she wrote as a scribe under orders, and wrote what she considered to be and what she understood to be the will of God; and those of us who agree with her have the right to follow that.

Now, then, having in mind that she is the Leader of Christian Science, let us state our next proposition. As the Leader of Christian Science, and in her governmental capacity, Mrs. Eddy never attempted to alter the legal effect of or revoke any instrument executed by her in her individual capacity. We do not claim that in her official capacity as Leader she had the right to destroy legal titles once conveyed. This is what we say. As the Leader of Christian Science, and in her governmental capacity as such, it was competent for Mrs. Eddy, with respect to any trust executed either by her or anyone else, upon the trust to promote and extend the religion of Christian Science, to define from time to time the religion of Christian Science as it unfolded to her, and to regulate and alter the method of administration of such trusts, so that such administration would at all times be in accord with the religion. That, if your Honors please, is a proposition upon which we rely, and to which we shall now address ourselves.

At the outset, having regard to page 27 of our brief, we state the proposition that a court of equity has jurisdiction to enforce a trust in property held for the purpose of promoting and extending a religion.

That proposition is almost self-evident. We have instances cases in which this court and other courts have exercised that jurisdiction. We have pointed out in the course of our brief the fact that every one of these bills of complaint pending before you, three in number, purport to be bills to administer a trust upon a religious use. We are dealing with a religion. Without the religion this case would not be here.

The next proposition to which we desire to ask the attention of your Honors is the fact that this court possesses full equity jurisdiction. In coming as I have into this Commonwealth from a State where equity was accepted as natural and inherent in a court, it came to me with some surprise at first to learn that in the earlier days of this Commonwealth this court did not possess full equity jurisdiction, and that not until 1877 did this Commonwealth vest in this court the full jurisdiction of a court of equity. That being true, the historic question as to whether or not the statute of the 43d Elizabeth was the sole origin of the doctrine with respect to a charitable trust becomes immaterial. Your Honors will remember the Girard will case, in which Mr. Binney, with a wealth of learning that will never perish, demonstrated that the power of a court of equity to administer a trust upon a religious use was inherent in its nature and did not depend upon the statute of the 43d Elizabeth. Of course at the time when this court did not possess the full jurisdiction of a court of equity, it became necessary for you to recur to the 43d Elizabeth. But now, since 1877, that you have the plenary power of a court of equity, that power which Mr. Justice Brewer has defined to be the power which is equal to every emergency that may present itself, you are not limited to the 43d Elizabeth at all.

In passing from the Statute of the 43d Elizabeth I want to record, with grateful appreciation, the very great help that Mr. Chief Justice Rugg, speaking for this court, gave to my understanding of that statute in pointing out the contemporaneous appearance of the statute of the 43d Elizabeth and the King James version of the Bible, in which Mr. Chief Justice Rugg pointed out that the word "charity" was used at the same time in both instruments, appearing within ten years of each other, and that the true root word was "love."

So we are administering the love of Mary Baker Eddy. Love includes loyalty; and the highest test of love is defined in that statement of our great Master when he said, "If you love me, keep my commandments." The highest tribute that anybody can pay to the love of Mary Baker Eddy, which he is claiming to administer, is to obey her commandments, and we are going to ask this court to do that in this case, because she gave this to us. It is her religion.

Why, if your Honors please, one day I was talking with a barber, and the barber says, "What is this lawsuit in Boston all about?" "Well," I said, "there are a lot of people claiming that Mary Baker Eddy didn't know how to organize a church, and that pretty nearly everything she did was wrong, and now it is to be run differently from the way she said it should be done." This barber turned to me, in the simplicity that common people so often manifest, and said, "Well, why shouldn't it be the way she said it? Didn't she make it?"

Didn't she? Who will go out of this court to say that which Mary Baker Eddy did not want him to do, but which is now discovered to be in violation of the law of the land? None of these contending factions will bear that mark of Cain upon their brow. Lawyers will argue with legal ingenuity that something Mrs. Eddy did is not what it purports to be because it is something else, but every Christian Scientist claims he is upholding what Mary Baker Eddy did.

Now, then, having a court of equity, a court of equity that has full jurisdiction, in the premises, let us now state our next proposition that I stated a moment ago. It is found on page 35 of our brief,

In the construction and interpretation of a trust relating to a religion, the court respects and protects the religion to which the trust relates.

Now, I want to call attention, in view of the fact that the Attorney-General has demurred to the paragraphs of our bill which plead the religious import of what Mrs. Eddy did, in view of the fact that the Trustees of the Publishing Society have done likewise, Mr. Dittmore has done likewise, to the fact that the Directors of The Mother Church refuse in Eustace v. Dickey to bring to the attention of this court the religious import of that which Mrs. Eddy did, to show you just what is contained in these pleadings.

I shall begin with the Deed of September 1, 1892. In that Deed Mrs. Eddy, according to the pleadings, or according to the Krauthoff bill, which is admitted as true—the Deed of September 1, 1892, was executed to promote and extend the religion of Christian Science. That Deed of September 1, 1892, clearly relates to the establishment of a church. It prescribes the nature of the services that shall be held in that church, and requires the grantees in the Deed to believe in the principles of Christian Science as taught in the Christian Science textbook.

In the Deed of January 25, 1898, Mrs. Eddy said it was executed for the purpose of more effectually promoting and extending the religion of Christian Science. That is recognized by counsel in their opinion and in their argument; but through a failure to understand the precise nature of The Mother Church, Judge Hughes has said that the promotion and extension of the religion of Christian Science was a purpose much broader than The Mother Church. This court voiced something of the same idea in Chase v. Dickey, where you said that the trust created by Mrs. Eddy's will, for the promotion and extension of the religion of Christian Science, was broader than the confines of a single congregation.

Well, The Mother Church in Boston, Massachusetts, is not a single congregation. It does not consist of the people who assemble in Boston on Sunday or other days to worship in the church. It is The Mother Church of Christian Science, extending throughout the world, and has over 1800 branches; and when you come to understand the words that Mrs. Eddy used a very simple principle applies. If you are construing the Constitution of the United States you have in mind that the men who wrote it studied Blackstone, and you turn to Blackstone to see what an indictment is, when you want to find out what an indictment means in the Constitution of the United States.

Now, Mrs. Eddy used the word "branch." Where did she get it? She studied the Bible. Where is "branch" in the Bible? In the 15th Chapter of John: "I am the vine, ye are the branches; He that abideth in me, and I in him, the same bringeth forth much fruit; . . . If a man abide not in me, he is cast forth as a branch." I am quoting freely.

So that this Mother Church lives in every branch church throughout the world. It lives in every practitioner of Christian Science who gives his time to healing work. It lives in everything that Christian Science relates to, because it is a part and parcel of the whole, and not a part or parcel of part of it. There can be no purpose broader than the purpose of The Mother Church of Christian Science—the First Church of Christ, Scientist, in Boston, Massachusetts.

It was a statement of Webster that the drum beats of England were heard round the world twice each week, and sometimes three times. On Sunday mornings, and sometimes in some churches on Wednesday evening, we hear, with grateful appreciation, the statement "This church is an authorized branch of The Mother Church, The First Church of Christ, Scientist, in Boston, Massachusetts." And those churches that do that turn to this court today in the confidence that Mary Baker Eddy knew what she was doing when she committed the administration of her affairs to the laws of the Commonwealth of Massachusetts. Now, let us see what these Trustees claim about themselves—they who claim in this demurrer that this court has no authority to consider a religion? The Trustees claim in their bill of complaint that they have held and managed the trust property in their care "solely for the promotion and extension of the religion of Christian Science as taught by Mrs. Eddy," and "on a strictly Christian basis," and that the Trustees "have all worked loyally, earnestly and faithfully as Christian Scientists and believers in its tenets and doctrines, for the best interests of the Christian Science church and the spread of Christian Science throughout the world."

They refer to "Mrs. Eddy's plan for the promotion and extension of Christian Science," and to "a sacred duty (said to be) imposed upon them and them alone by the Founder and great Leader of the Christian Science church."

Did they say they were appearing at the bar of this court as trustees of a deed executed by the donor of a printing shop? No. Do they proclaim to the world that we are the owners of a printing shop, given by an individual named Mary Baker Eddy? No. They say that these duties were devolved upon them by the Founder and great Leader of Christian Science. I ask them to follow the great Leader of Christian Science, and to remember that Mary Baker Eddy knew more about Christian Science than everybody in this room put together.

Then Mr. Rowlands said this—this is what Mr. Rowlands has tendered as an issue. Mr. Rowlands says that he "has in all respects discharged his duties as trustee solely with a view to what in the exercise of a sound judgment he has regarded as the best interest of Christian Science, the Christian Science church, and the promotion and extension of Christian



Science throughout the world; that he has been prayerfully conscientious and loyal and faithful to his duty as a believer in Christian Science; and that all of the plaintiffs "have been faithful, loyal, and conscientious Christian Scientists in the performance of the duties under the important trust and confidence reposed in them by the great Leader and Founder of the Christian Science movement."

Now, we do not propose to inveigh Mr. Rowlands' consciousness, and to go with him into his closet and find to what extent he has been prayerfully conscientious, but we do say this: That when the Trustees of The Christian Science Publishing Society spend the money of that trust, and in court quietly sit by and hear their counsel tell this court that this part of the Church Manual is null and void, "The Christian Science Board of Directors shall have the power to declare vacancies in said trusteeship, for such reasons as to the Board may seem expedient,"—they resign as Christian Scientists in the most effectual manner. They never again can go forth and tell the world, "We uphold the Manual of The Mother Church." That much at least has been accomplished. We have heard much of it in this room. Almost with tears in his eyes, Mr. Whipple used to tell us how loyal they were to their Leader. The disguise is thrown off; the mask has gone. The Trustees ask you to decide this case in their favor because they say a section of the Church Manual, written by Mary Baker Eddy, the Leader of Christian Science, as the revealed will of God, is null and void. Any title to any office that they get upon any such decree as that will not be worth the paper on which it is written. It denies their bill and every argument they make.

They say that Mr. Rowlands had made a financial sacrifice in becoming a Trustee "solely to consecrate himself to the extension and promotion of Christian Science which he had adopted and professed, and in which he had become very deeply and sincerely interested."

Can you accomplish the promotion and extension of the religion of Christian Science by tearing a section out of its Church Manual, which we regard as a part of the religion, and which our bill pleads to be a part of the religion, and which the Trustees demur to be a part of it—a book published by them and sold by them? Do they expect to revise this book and cut it out? Can they as honest men continue to sell a book which their counsel tells them contains something that is null and void under the laws of the land? What are they going to do about it?

Then we further find this—Mr. Dittmore says this in his answer. "This, if your Honors please, is an answer filed by William G. Thompson, who tells this court that Mr. Krauthoff has consumed a large part of the time of the single justices of this court in talking about doctrine and religion, and this is the issue that Mr. Thompson tenders."

"The plaintiffs (in the Eustace case) are not and for a long time have not been loyal, faithful and consistent believers and advocates of the principles of Christian Science as taught by Mary Baker Eddy in her book entitled 'Scriptures and Health with Key to the Scriptures,' and long before the filing of this bill the plaintiffs had ceased for that reason to be eligible to hold the office of Trustees under the Deed Exhibit A."

If your Honors please, parties that tendered issues that, who brought the religion of Christian Science into this court, and for the purpose of being restored to a position of power were willing to do anything to destroy that which Mrs. Eddy did in the hope that they could win a lawsuit, bringing into the Christian Science field the greatest disaster that could ever occur to it if this court became a party to it, when met with a bill of a constructive nature to assemble this form of church government in legal language before this court, and ask for its upholding in its entirety, say that the court has nothing to do with a religion. Those pleadings are still here. They have not been withdrawn. They ask for a decree in their favor based upon those allegations. Nobody can come into a court of justice and blow hot and cold. Nobody can occupy inconsistent positions, because in a court we are dealing with truth, the whole truth, and nothing but the truth.

Now, what is the contention that we have to meet? Mr. Dittmore served as a Director for nearly ten years, under the Church Manual and a Deed, without ever discovering that they were two separate and distinct instruments. Let us see what he said in this case. I am talking now about Eustace v. Dickey—we are talking about the record in this case.

Mr. Dittmore filed an answer in Eustace v. Dickey, (record, page 68), in which he pleaded as a part of his answer a memorandum called, the Dittmore Memorandum, of which he is the sole author, and he says, expresses the relationship between the Trustees and the Directors of the church. That Memorandum is in the pleadings in Eustace v. Dickey. It has not been withdrawn. I will ask your Honors to read that Memorandum, written by Mr. Dittmore, with a view of discovering when he first found out that he was two kinds of a Director. He has not withdrawn this pleadings, either, by the way.

"It shall be accepted in theory and demonstrated in practice that The Mother Church is one institution and that the responsible authority for its direction in all of its departments is not divided, but has been definitely established in The Christian Science Board of Directors."

In other words, when John V. Dittmore was a director of The Mother Church and was seeking to exercise authority over Mr. Rowlands, Mr. Eustace and Mr. Orden, when he was clamoring, as he did then, for the removal of all three of them because they did not obey the Church Manual, then he wrote a Memorandum that is still in the pleadings in this case,—that the Deed of Trust of January 25,

1898, and the Church Manual, are one document. With that pleading before this court, with that theory tendered in his answer, he asks you to abandon the theory on which he wrote the Dittmore Memorandum, and to decide what? That when, Mary Baker Eddy wrote the Deed of January 25, 1898, she could not modify it by a church Manual, because he wants to be a Director under the Deed of September 1, 1892, and if he could modify one she could modify the other.

We are not concerned in this controversy between Mr. Dittmore and the Directors, about what they did on March 17, 1919. We do say, as members of The Mother Church, that the argument of William G. Thompson in this case, made in the presence of John V. Dittmore, renders him unfit to hold any office in the Christian Science church, and excludes him from any consideration at the hands of a court of equity, because it is a denial of the fact which Mary Baker Eddy did as the Leader, the Discoverer and Founder of Christian Science, and we are entitled to have Directors who are loyal to our Leader.

Now, those are the pleadings that these parties have tendered, and say that this court has nothing to do with consideration of a religious nature. But, independent of the pleadings, let us go to the law of the case, and before I do that, if your Honors please, I am going to read something that has been a very great help to me in the work that we are doing in this case. In the 13th Chapter of Mark, the 34th verse, we read as follows:

"For the Son of man is a man taking a far journey, who left his house, and gave authority to his servants, and to every man his work, and commanded the porter to watch."

Mary Baker Eddy to human sense has taken a far journey, but she has left her house, the Christian Science religion. She has given authority to her servants, and to every man his work, and we are discharging what we conceive to be ours. She has commanded the porter to watch. What is the porter? The law of the Commonwealth of Massachusetts. We are not arguing here that the law of the Commonwealth is one thing and the law of the church is another. We are arguing here that they are identical, because if they are not neither of them would amount to anything. A law unsupported by religion is unknown to civilized society; a religion unsupported by law is inconceivable. The Supreme Court of Ohio has said, in very felicitous language: "Religion is the parent, not the offspring, of government." We are coming to a court that owes its origin to a Commonwealth that had its existence when the Mayflower Compact was signed, and the first words written in the Commonwealth of Massachusetts were, "In the name of God, amen." The first appeal to organized society was "In the name of God, amen." We begin and we close what we have to say in this case with that same highest invocation, "In the name of God, amen."

And we say that in this Commonwealth this court will not say that while it may go to church on Sunday, and while it in its individual capacity may read the Bible and be members of a church, that when we become judges we forget everything that we know about God and religion and are merely pagans, dealing with legal concepts and deeds executed under seal.

Now, what is the law on the subject? Yesterday Mr. Thompson said that in our brief we went back to the days of Sophocles. We go much farther; we go back to the beginning, for we say that "In the beginning God created the heaven and the earth," and all that is in them. He gave to man the beginning. Intelligence has never become separated, and there isn't any error that runs through this case more pernicious than the argument of separation.

Judge Hughes said, with great earnestness—and I appreciate his viewpoint, because ten years ago I might have said the same thing—that these two documents were separate and distinct interests. Now, if your Honors please, if he had studied Mrs. Eddy's writings—and we have to put ourselves in the place of Mary Baker Eddy when she used the word, we have to understand what she meant, what she tried to do—he would see that her constant argument for the infinity of God was an argument against separation. We are told in common parlance that while in the first chapter of Genesis first breathe they are the most perfect expression of this court on this subject—your Honors on the third appeal were met with the question, Who owns the proceeds of the sale of this property? May I briefly remind your Honors that in that case the Jackson deed around which all the litigation revolved, had been given for the benefit of a local society of a Methodist Episcopal Church; that under the laws of the church that local society had become consolidated with another society, and the other society claimed the proceeds of the sale of the church property under the church law; and that Mr. Crawford, the principal defendant, and the principal cause of the controversy had evolved the idea that instead of having a local church of the Methodist Episcopal Church, being subject to its jurisdiction and discipline, these Trustees would erect a church, the building of which would be "ours." I am quoting from the

language of this court. I almost, as I read that, was reminded that error repeats itself, and that these trustees of the Publishing Society were trying to build up a publishing society which would be "ours," and not Mary Baker Eddy's. I am using "ours" with quotation marks.

What happened in that case? This court said that under the law of the church the consolidation of the two churches was legal and valid, and that the use of the Bromfield Street church property depended upon the law of the church; and it was argued in that case that the law of the church could not displace the law of the Commonwealth, and this court made the law of the Commonwealth and the law of the church identical.

I read from the brief in the Bromfield Street Church case: "No church discipline can supersede the laws of the state." That is what counsel contended. What did Chief Justice Rugg say, speaking for this court?

"Membership in the church and the local society and the use of the church therefore are to be determined according to the 'rules and discipline of the church.'"

Now that is what we ask for The Mother Church. We ask that the use of The Mother Church be determined according to the rules and the discipline of the church, contained in the Church Manual written by Mary Baker Eddy under divine guidance.

What is the next case in which this court has had the experience of examining doctrines of religion? Take the great case of *Earle v. Wood*, where Mr. Chief Justice Shaw, speaking for this court, considered the peculiar tenets and doctrines of the Society of Friends, and we have heard much, in these cases by counsel for Trustees of the Publishing Society upon the sacred right of members of the church to vote, at the same time filing a demurrer which tenders the legal issue that members of The Mother Church have no justiciable status which entitles them to do anything but pay dues and subscribe for the periodicals.

In *Earle v. Wood* Mr. Chief Justice Shaw was passing upon the question of who were the legally elected officers of a meeting of the Society of Friends, in which no vote is ever taken, the "solid sense of the meeting" being taken by the clerk presiding. He said what?

"The legislature, in providing means for holding property in succession for the use of Quakers, and designating overseers of monthly meetings for that purpose, must have intended overseers appointed or set apart in an orderly manner, according to the fundamental rules and usages of Quakers."

In other words, Mary Baker Eddy founded a church; she established every part of its government; she did it in the way that God revealed unto her as the right way to do. Now we are told that she should have done it if a number of distinguished lawyers had walked by her side and had advised her what to do from time to time.

Now, if your Honors please, the immensity of this question to the application of the religion to this case is such that we have treated it exhaustively in our brief. I shall not undertake now to continue that line of argument further. I am going to assume that the Commonwealth of Massachusetts is not at this time going to reverse that to which it owes its origin, its continuity and existence, namely, the desire for freedom of religion, by intimating that religion has no place in its courts.

Having in mind now that the promotion and the extension of a religion is the object of this trust, having in mind that the court in promoting and extending that religion must have regard to the religion, because it can do it in no other way, we call attention to the proposition that is all controlling in determining the nature and effect of the acts of Mary Baker Eddy. And we state that proposition in our brief on page 99.

"Mary Baker Eddy is the recognized Discoverer and Founder and Leader of Christian Science. As such, her words and work, taken in their entirety, in their spiritual import, stand as the revelation of Christian Science to the human understanding. In her governmental capacity her power is absolute, and her requests are given implicit obedience by her loyal followers as a religious precept. Accordingly, in a case relating to property dedicated to the promotion and extension of the religion of Christian Science, this court will respect and protect her words and work, expressed in a manner deemed authoritative by her, and enforce the Church Manual, included in such religion."

That is the proposition that guided Mrs. Eddy in that which she did. That is the governing principle of her life. That it is which upholds it in its entirety. To abandon that means to create a state of affairs that would spell chaos in the administration of the trust.

Now, if your Honors please, the rule is well settled that where a civil right depends upon a religious right the court takes jurisdiction to enforce the civil right so far as it relates to property, but where that civil right depends upon a religious right the court accepts the decision of the religious tribunal as the controlling decision. The court in the separation of church and state has not made of religion an outlaw. The court has not said that it would take jurisdiction of a case relating to a religion. The court in the very nature of its authority is required to take jurisdiction of a case involving a religion, but when so doing accepts the religion.

Now we plead in paragraphs 16 and 17 of our bill—and that is admitted to be true by the demurrer—that Mary Baker Eddy discovered Christian Science; that she is the recognized Leader of Christian Science and that her statements on Christian Science are

accepted as the only authoritative exposition of it.

Now, then, you are charged with the duty of promoting and administering a trust relating to the religion of Christian Science. You said in *Chase v. Dickey* that the religion of Christian Science would be presumed to be no more difficult of understanding than any other religion, and you took jurisdiction of the controversy as to whether or not the religion of Christian Science was against public policy. That same question arose in New Hampshire and the court there took jurisdiction of the question. So that in this case this court cannot undertake to enforce these trusts without having regard to the controlling principle of the religion.

Now let us define clearly the word "religion." Christian Science was discovered when Mary Baker Eddy was healed. That stands reduced to human apprehension as the divine principle of healing. The religion of Christian Science is the organized form in which Mary Baker Eddy gave it to the world. No system of theology ever healed the people. It must be an organized form that brings it to their understanding, that religion stands as her organized form of government.

Now Mr. Justice Hughes quoted from "Retrospection and Introspection," in which Mrs. Eddy said that in the early days organization had its perils and was something to be avoided as we grew and developed. Her experience in dealing with human affairs taught her that no church could exist without organization, and she said at a later date:

"Heaps upon heaps of praise confront me, and for what? That which I said in my heart would never be needed,—namely, laws of limitation for a Christian Scientist."

She discovered as she proceeded in her work that Christian Scientists were not yet absolute exponents of Christian Science and needed to be regulated and governed and to live under an organized form of government. So she wrote as she did of the Church Manual as an unfolding of her plan of government.

Now, then, standing as she did as the Leader of Christian Science, whatever Mary Baker Eddy decided as the Leader of Christian Science becomes true in Christian Science. There is no appeal from that. You need not be a Christian Scientist if you do not want to, but being a Christian Scientist you must accept as true what which Mary Baker Eddy decided as to what constituted a Christian Scientist, just as a loyal citizen of the Commonwealth of Massachusetts must accept as true with respect to the laws of Massachusetts that which this court decides.

Now, then, what did she do in her capacity as leader of Christian Science? She did not destroy a single one of these trusts that she created. She fulfilled them. And we are asking this court to fulfill them. What did she do? We will come presently to what she did with respect to these various trusts. Before we proceed to that let me remind you of some historical incidents where courts have respected the binding force and effect of religious leadership. By religious leadership I do not mean a single individual. That is a question of the religion. The great church which through the ages has stood as its head in the Papal authority. The other churches—Martin Luther founded the Lutheran church; John Wesley established the Methodist church and for a period of time governed it absolutely. But however that governmental authority is exercised, it is religious leadership. In the Methodist church there is a General Conference, which prior to the Civil War divided the church into two churches. And you might today if you were examining a title in the South, go to a courthouse and read a deed which said "Methodist Episcopal Church," and if you went up to the door of the church and looked at it you would see the door of "Methodist Episcopal Church South." And you would say "How did the word 'South' get on the deed?" You would be told, "Why, there was a conference of these churches in 1844 that divided them in two and now this church is South." You would say, "All right, that is all right." In my own experience I examined the title of a church and it claimed to be a Presbyterian church. I said, "Here is the deed which says it claimed to be a Cumberland Presbyterian church." "Oh, yes," they said, "there was a general assembly of these churches that met some years ago and decided that hereafter these churches should be one." That was a subject of controversy and was upheld because the General Conference had so said and that made the deed read differently.

So when Mary Baker Eddy said that the Christian Science Board of Directors should consist of five members, that is a part of the religion of Christian Science, and the religion of Christian Science operates on the deed given to promote and extend the religion of Christian Science and no man can say, "I am a Trustee under a deed given to promote and extend the religion of Christian Science" and deny that under the deed the number of trustees has been increased from four to five.

Now that authority of Mary Baker Eddy is the same authority that the Commonwealth exercised in the Franklin will case, when it abolished the town of Boston and made the city of Boston. The town of Boston was succeeded by the city of Boston and the city of Boston became the trustee under the will of Benjamin Franklin instead of the town of Boston. And so under the religion of Christian Science The Mother Church has five directors for all purposes, and not four. "Oh, but you say, 'what do you mean? Do you mean that a religion has anything to do with the number of the directors of its church?'" Why, if your Honors please, the oldest religion in the world contains within its principles the statement that certain candlesticks have seven prongs. God said unto Moses, so Moses under-

stood, that he should have a candlestick with seven prongs. And if I were a Jewish rabbi and insisted on having candlesticks with nine prongs or five prongs in my synagogue, your Honors would be authorized to remove me from office.

Religion finds its expression in all these things because they are the human symbols that teach us our way to God. And there isn't anything about the organization of a church that hasn't something to do with the religion of it.

May I illustrate? It was my experience in a foreign land to be present at a funeral, and at the close of the ceremonies the friends of the departed came forward and sprinkled some water upon the coffin. To them it was the act of a religion. It was the holy water of the church. Would we be authorized to sit in judgment and say of that religion, "Water could have nothing to do with sanctity—material water?" No, not in a country that recognized the freedom of religion.

We find, then, a doctrine that courts respect the decrees of a religion as that which depends upon the religion—why? Because the religion is supposed to know what it is talking about. If Mary Baker Eddy was offered as a witness in this case there would not be a single person that would dare to testify—I do not mean from fear—there would not be a single person who would testify that she was mistaken and that her statement of Christian Science was not true.

What do you do when a suit is brought involving the law of a foreign jurisdiction? What would you do when a man was injured in Connecticut and brought a suit in Massachusetts? You read the decisions in Connecticut. What did Mr. Justice Gray do when he was sitting in the Supreme Court of the United States and he had to ascertain what was the binding effect in France of a judgment rendered in America? He studied the law of France.

Now this is not peculiar to Mary Baker Eddy. As we have pointed out, great religious leaders have stood before the world and their statements as to their religion have been respected and enforced. Take the Salvation Army, Presbyterian Church; all of them have their leadership.

Now, then, we come to the next question, the argument that the church is something distinct from the religion. That argument, if your Honors please, could not endure for a moment, because unless the church is founded upon the religion of which the church is the exponent the church could not endure for a moment. The teachings of all churches proclaim their divine origin.

Now, then, having regard to the fact that the Church is a part of religion, that Mrs. Eddy stands as the governmental authority of the religion, this Manual was not written at her suggestion, it was not written because she recommended it, it was not adopted with her approval; she wrote it! It stands because she wrote it. That is what makes it valid in Christian Science. The directors of The Mother Church were merely part of the machinery that she utilized to educate her loyal followers in the technique of government, so that when she passed away they might not be left helpless. There is not a single statement in this Manual that has any force and effect because the board of directors adopted it; it has force and effect because Mary Baker Eddy wrote it, and we in Christian Science do not limit ourselves to the Manual; we turn to her other statements and her other requests that she made in an authoritative manner, and we give them the same force and effect as if they were in the Manual, because they come to us as the exposition of the leader of Christian Science.

Now, then, what does the court say about the governmental authority of a church? We find a recognition of the fact that the general assembly of the Presbyterian Church comprises within itself all the legislative, all the judicial and all the executive power vested in it. In the Presbyterian Church, Mary Baker Eddy did that in the Christian Science movement. And when the Presbyterian Church divided itself, that divided the Church; and when Mary Baker Eddy did these things as the leader of Christian Science, they were effective as a part of the religion of Christian Science, just exactly as the legislature of a state amends the charter of a municipality charged with the execution of a charitable trust. In the Girard will case the legislature of Pennsylvania passed a law that the trustees to act for the city of Philadelphia should be named by the judges of courts, and the validity of that was attacked, and it was held that when Stephen Girard selected the city of Philadelphia to be the trustee under his will, a municipal corporation, he did it subject to the incident of legislative change and regulation as to the trusteeship, so long as the object of the trust was not destroyed.

In *Ware v. Fitchburg* your Honors did the same thing in respect to a trust there.

Now, then, if your Honors please, the authorities all recognize the proposition that as to a public corporation, the power of the state is never surrendered, but, as to a public corporation, the power of the state to regulate, to govern, continues unimpaired, to be exercised whenever the occasion exists.

As the leader of Christian Science, Mary Baker Eddy had the right to determine the nature and extent of her jurisdiction. It is so recognized by the leading authorities in church law. Just as this court, as the highest judicial authority in the Commonwealth, has the right to regulate its own jurisdiction, she had the right to make rules for her own government, as long as she violated no law. She did, as the leader of Christian Science, make this Manual, write this Manual, and it becomes part of the religion of Christian Science. The Manual relates to a part of the religion of Christian Science, and hence

the Manual controls the deeds. That is the proposition that we present to your Honors.

Now, if your Honors please, as to the legality of the organization of The Mother Church, Jesus said,

"Wherever two or three of you are gathered together in My name, there shall I be in the midst of you."

And we respectfully submit that in the Commonwealth of Massachusetts, wherever two or three people come together and say,

"We are a Church, holding religious services,"

they become a church. Just what their legal rights may be is another matter, but they are a church, because they are organized in accordance with the form of the religion which they adopted.

We have cited the authorities in this state to show the liberality with which this state has treated the organization of churches, requiring nothing but an adherence to their own forms.

Now, as to the Church Manual, primarily it is binding upon us as church members as a contract. You understand, when you come to examine the Krauthoff bill, that we ask that this Manual be recognized—not established—recognized as legally valid, binding and controlling upon the church membership, and legally valid, binding and controlling upon the members embraced within the religion of Christian Science. As to members of the church, the Manual is contractual in its obligation. That being true, this court will recognize the law of the church, precisely the same as it recognizes the law of the merchant, and as it recognizes the law of the market-place. We have cited authorities on questions that cannot be disputed, and here I want to pause and render my grateful appreciation of the case in which Judge Hughes wrote the opinion for the Supreme Court of the United States, known as *The Community Case*, where a man joined a religious order which had as one of its principles the agreement that upon his death all his property should belong to the order of which he was a member. The case was heard three times. It was heard before a single judge in the Federal Court; it was removed on appeal to the Circuit Court of Appeals; and on appeal the court said that the law of the land, and not the canon law, must govern in the disposition of his property. What did Judge Hughes say, speaking for the Supreme Court of the United States? He said that it was not a question of the law of the land, and it was not a question of canon law; it was a question of contract. The man had agreed that upon his death the property that he owned at his death should belong to the order of which he was a member; and that was the end of the discussion, and the property went to that religious order.

So here we as Christian Scientists have agreed that we are bound by this Church Manual as a contract, just as the people who belong to a community are bound as to their property by the contract of the community.

Ministers suing for salary are bound by the laws of the church. Church members, when they litigate as to property, are bound by the laws of the church of which they are members. Now, then, that having been true, that the Church Manual is a contract, and that the Church Manual is valid, it is argued here, if your Honors please, by people not Christian Scientists, that this Church Manual was not legally adopted, because they say that it was largely adopted by votes of directors of the Church. Why, the Church Manual is valid primarily because it is written by Mary Baker Eddy, it is valid as against the claim that the Church members have not voted upon it, because under the usage of the Christian Science Church as to which the Christian Science Church is the sole expositor, we have agreed that the power of voting shall reside at one time in the First Members, and at another time in the Christian Science Board of Directors.

We have heard discussion here to the effect that the directors were not a body corporate because they were not similar to deacons and church wardens, because deacons and church wardens are elected, and our directors were not. I was reminded of the fact that the judges of this court are not elected by the people of the Commonwealth of Massachusetts, and yet they are the judges of this court very effectively. We are also reminded that the people of the United States do not elect their President. Nobody voted for Charles Evans Hughes for President of the United States—not a single one in all the United States. He could not even have voted for himself under the law if he had wanted to. Why? Because the people of the United States elected the Electors and the Electors elect the President. Who can complain of that? Nobody but the people of the United States. We have agreed that our directors shall do the voting in our church, and that is a matter that concerns no one except members of the church. It certainly does not concern the trustees of the Publishing Society, who claim that they are strangers to our Church, and have nothing to do with our Church organization as trustees of the Publishing Society.

The Master, as Governor Bates pointed out, could not forget that he was a Federal Judge on one occasion, and had written opinions, and he just sailed through this case, scattering observations right and left, some of them pertinent and some of them impertinent. In one of them he said—and that has caused a great deal of trouble in the Christian Science world—he said that our by-laws were not valid because they were not adopted under the statutes of the Commonwealth of Massachusetts. The laws of the Commonwealth say that we may adopt by-laws: it does not say that we must.

We have cited authorities to the proposition that a church can exist without by-laws, if it wants to; the usages of its members are sufficient to justify its action.

It is possible for a church, just as it is for a corporation, to vest the power to make by-laws in its directors, and it is not necessary in a church for every church member to have a vote, in fact very few churches give to every member of the church a right to vote.

The Dartmouth College Case is relied on in this case. We cite it as authority for two propositions. First, we say that the Dartmouth College case recognizes to its fullest extent the right of the state to regulate a governmental corporation. We cite it also as authority for the proposition that the Attorney-General, when he was writing his bill of complaint, was somewhat like the judge in Missouri, who said that judicial discretion had pulled up its lathering pin and gone out on the range. How a lawyer accustomed to the use of accurate language could ever have tendered to a court this statement is a mystery to us. I am now going to read from the first paragraph of the Attorney-General's bill:

"The First Church of Christ, Scientist, in Boston, Massachusetts, (hereinafter called The Mother Church) with its interrelated activities, constitutes a public charitable trust devoted to the advancement of the Christian Science religion for the benefit of the present and future adherents of Christian Science, and the public generally."

We can understand how a gift to a church may be a gift upon a public charity; we can understand, having regard to legal accuracy (in which Massachusetts stands preeminent throughout the world), that in the case of a gift upon a public charitable use there are the donor, the donee, and the donee; we can understand how the donor may give the donation and that the gift may be upon a public charitable use; but just how the donee can be converted into a charitable trust we have not yet been advised. We have tried to argue that in our brief as an impossibility. We think that it is impossible legally. In other words, a city may be the trustee of a trust upon a charitable use. Boston is. A county may be. A trust company may be. But that does not convert the city or the county or the trust company into a charitable use. The time has not come yet when the Attorney-General of the Commonwealth can administer the city of Boston as a charitable trust under the cy pres doctrine, just because it is a trustee under the will of Benjamin Franklin. And in the Dartmouth College Case it is pointed out with a wealth of learning and ability that is unapproachable that the fact that Dartmouth College was administering a trust upon an educational use that was public in its nature did not convert Dartmouth College into a public corporation, and that it was entitled to maintain its integrity as a private corporation.

In the state of Illinois it was claimed that in the progress of events stock-yards had become impressed with such a public use that hereafter they would have to be regarded as public property. The Supreme Court of Illinois said that when that period arrived in the history of an organization, it was the privilege of the legislature, and not of the courts, to make the change.

And so when the churches of the Commonwealth of Massachusetts are to be condemned for public use without compensation, that must be done by legislative authority, and not by the fiat of the Attorney-General, having regard, of course, to some constitutional considerations.

Now, what is the basis of the right of the public to attend services in a church? Mind you, the Attorney-General is here asking what? Not for the administration of a pile of brick and mortar. To merely have a pile of brick and mortar down on Falmouth Street would not do anybody any good. We would probably be sued for damages in a very short time for injuries to people that went by. He is asking for the administration of a church. Now, what does a church consist of? Its activities. How are those activities to be manifested? Suppose that you went to church on a certain day, and there were no ushers there—you find ushers now, because they are members of the Mother Church: would you telephone to Mr. Allen to please send down some ushers? Where is he going to get them?

Mr. Allen in his brief said that the Mother Church has become a public charitable trust. Why? Because Mrs. Eddy said in the Church Manual that she welcomed to her seats strangers. But Mr. Allen also in legal effect says—and the logic of his contention is—that Mrs. Eddy has ceased to have any seats to welcome strangers to. He says that we have become a public charitable trust because under the Church Manual we are enjoined to welcome strangers to the Church. How are we going to welcome strangers to the Church that belongs to the Attorney-General? The right of the public to worship in a church carries with it the duty on the part of the church membership to see that the church is there for the public to worship in. And that is what we are asking for here—the right to discharge our duty to the public, which is just as great, and entitled to just as much consideration, as the duty of the Attorney-General. We, as church members, are asking this court to see that this church shall be continued in order that the public may there worship according to the doctrines of the Religion of Christian Science as taught by Mary Baker Eddy. For the Attorney-General of the Commonwealth of Massachusetts to attempt to exclude us from all church privileges is to destroy the thing that he is seeking to protect. Mrs. Eddy described it. She said that it is like arguing in favor of the plaintiff in a case that you know is going to be decided in favor of the defendant.

Now, if your Honors please, if you were invited to a house as guests, would you expect to be met at the door with the statement, "This house



is yours. Good bye?" Would you say that that was hospitality? We have invited the public to our church. We want to have a church for them to visit. We want to keep it lighted, clean, heated; we want to have readers there to read, an organist to play, a soloist to sing; we want to have ushers to show people seats; we want the religion of Christian Science protected in that church; we want to exclude nobody; we want to ask everybody to come.

But the Attorney-General of Massachusetts reminds me of the experience that a minister in the South had. He was trying to explain to a colored slave—a former slave—about the return of a Confederate brigadier; and this minister said to the colored man, "Moses, don't you remember that when the general came back from the war he was all torn and tattered, and that he came back broken-hearted, and that we all went out to welcome him as a prodigal son, and that we killed the fatted calf?" and Moses said, "The general didn't do anything of the kind. The general walked right into the house and put his feet on the table and said, 'Where is the veil?'" Now, we have opened our church to the hospitality of the public, and we are calmly told that by so doing we have walked out of the front door and ceased to have any rights in regard to it at all, because it is said by the Attorney-General of the Commonwealth of Massachusetts that we have been converted into a public charitable trust. That argument was made in the Dartmouth College case. It was denied in that case. It has continued to be denied. We still retain our integrity as an organization entitled to discharge the duties vested in us by our religion and the law of the land.

Now about the rule against perpetuities. The Attorney-General has filed with his bill the Church Manual. That being true, he admits the truth of the Church Manual. He cannot in this case be heard to deny the validity of any statement in the Church Manual. Self-evidently not so long as Mr. Eddy appears as associate counsel who is retained by Christian Scientists who are upholding the Church Manual in its entirety. We find in the Church Manual this statement as to the ownership of this property. In Article XXIV of the Church Manual Mrs. Eddy recites that on March 20, 1895, there was conveyed to her the Mother Church building, and she declined to accept the gift, and—

"she now understands the financial situation between the Christian Science Board of Directors and said Church to be as follows:—

Section 2. The Christian Science Board of Directors owns the church edifices, with the land where they stand, legally; and the Church members own the aforesaid premises and buildings, beneficially.

In the brief of the Attorney-General it is intimated that if we claim any private or peculiar interest as members of The Mother Church, what we claim is void under the rule against remoteness. Now, Mr. Attorney-General, we claim a peculiar interest under that provision in the Church Manual, and we call upon the Attorney-General of the Commonwealth of Massachusetts to say whether that provision in the Church Manual is the thing that he refers to as being void under the rule against remoteness. The rule against remoteness has no application to a gift to a church in this Commonwealth, in view of these statutes under which a voluntary association may take property absolutely. There was a time in the state of the law where much learning was displayed on the question of the right of a voluntary association of individuals to take property, much learning displayed as to the rule against perpetuities, but, as we stated earlier in our argument, well settled now that the rule does not apply to a charity just because it is a charity, but the rule does not apply to a charity because in the case of a charity there is a present vested interest, and that present vested interest under the statutes goes to the voluntary association in its corporate capacity.

The Attorney-General of the Commonwealth of Massachusetts, as an exponent of the Church Manual, has upheld it in its entirety, and he cannot uphold it merely in part, he cannot come to this court and say that the peculiar interest which vests in members of The Mother Church is void under the rule against perpetuities, for two reasons: He thereby denies and repudiates the Manual which he seeks to enforce, and he denies the statutes of the Commonwealth of Massachusetts. And when I have heard it intimated, as I have in the case from time to time, that Mary Baker Eddy was a very poor lawyer, and did not know anything about the practice of the law, and have read this statement in the Manual, and have gone to the books and seen Lemuel Shaw state the same thing in the same way, I concluded that Mary Baker Eddy was just as great a lawyer as she was anything else, and that when she wrote this language she knew what it meant, and it meant what it says, and it says what it means, and that we as church members do benefit from the title to this church property, not, as I explained a moment ago, for our pecuniary benefit, with the right to convert it into money and distribute it among ourselves, but for the purpose of ourselves, and in our own right, and in our own way, without first having to go up to the State House and beseech the Attorney-General of the Commonwealth of Massachusetts to please be good enough to do it for us, but we have the right in our own way to approach this tribunal and as citizens of this country to attempt to set up our own rights and ask that they be enforced and upheld.

RUGG, C. J.—You may pause here. Mr. KRAUTHOFF—May I ask how much more time I have left?

RUGG, C. J.—Twenty minutes more.

(Recess until two o'clock P. M.)

AFTERNOON SESSION

Mr. KRAUTHOFF: If your Honors please, the Krauthoff bill is demurred to on the ground of multifariousness, and Mr. Thompson presents in his

brief that phase of the law of the case as if it were necessary, in order to make a bill single, that each defendant be interested in every allegation in the bill.

That is not the law. It is sufficient for a bill to be single that it tells a single connected story, relating to one subject matter, and that each of the defendants be interested in some part, but not all, of the bill. The bill is lengthy. It covers the span of a human life. It begins with 1866 and comes down to 1920. When examined it will be seen that it tells a single connected story relating to the same subject matter, the life work of Mary Baker Eddy.

The principal questions arising on the Krauthoff bill, and which caused the reservation to be made for the Full Bench, are, first, the right of the plaintiffs as church members to maintain the suit, and, second, the religious import of the bill, which runs through it.

We recommend to the court that when these propositions shall have been decided, as we think they ought to be, in the affirmative, that the court leave open the question of multifariousness to be settled by a single justice; because, after all, if any of the allegations are multifarious, the bill is amendable, and the excluded items may be set up in further and other suits to be hereafter instituted.

There is a document in this case to which scant reference has been made up to date. It is the "Woman document," bearing date of January 15, 1898. We call it the "woman document" because Mrs. Eddy so termed it in her letter written to Judge Hanna a few days after its execution. She prepared the document without the aid—I was about to say without the hindrance—of legal advice. It is her inspired work; it is her understanding of the right of the situation. It will not do to dismiss this document with the passing statement that when she executed it she did not have the legal title to the property conveyed. We have cited authorities in our brief to the effect that the subsequently acquired title of the donor enures to the benefit of the donee.

The objection that the gift related to property which produced an annual income of more than \$2000 is obviated by the fact that in the year 1917 the Legislature of this Commonwealth gave the First Church of Christ, Scientist, the power to receive gifts without respect to the amount of income which they produced. Under the decision of your Honors in the Hubbard case, this legislation makes the gift valid as of the date of its execution.

Mr. James A. Neal, who stood as close to Mary Baker Eddy as any human being, testified in the court of Eustace v. Dickey that on one occasion Mrs. Eddy said to him that she was sorry she could not have given her paper to the church, as she desired, but that we must have confidence in God, and that in good time He would make his purpose manifest. In the fullness of time that period has now arrived. The deed of Mary Baker Eddy of January 15, 1898, standing as a gift to The Mother Church, has been validated by the Legislature of the Commonwealth of Massachusetts. No question of limitations can arise, because until September 30, 1918, the property was in fact managed as the property of The Mother Church.

And now, in grateful commemoration of Mary Baker Eddy for all that she has given unto us, we submit to the court that the time has arrived when this court shall recognize the validity of her gifts, and declare that The Mother Church is the owner of The Christian Science Publishing Society.

STATEMENT BY MRS. DAISY LOVERING KRAUTHOFF.

Mrs. Krauthoff. Your Honors: The Legislature of Massachusetts, I believe, gives to every party to a suit the right to speak in person. There are just five minutes left of the time allotted to us, and with your courteous permission, I will occupy those minutes.

As fully as Mr. Krauthoff has covered the issues in this case, in his brief and in his oral argument, still there is one point of which he has not informed your Honors, whereof you have the right to be informed, namely, his peculiar relations to this situation. A combination of circumstances, unsought by him, places him today with a wealth of information regarding the Christian Science movement second to none among those now before this court. Through days and nights of studious research he has familiarized himself with the work and words of our Leader regarding her church, its organization and government, as penned by her and now found in the archives of The Mother Church. So that it is safe to say, without the slightest fear of controversy, that none of the counsel appearing before the court in this case can approximate his intimate understanding of it, or will claim that they have given one-hundredth of the time to its study that Mr. Krauthoff has given.

Therefore he speaks with an authority that cannot be questioned—the authority of Mary Baker Eddy—for in what he asks there is nothing of or for himself. He has no personal office to uphold, to lose or to gain. Every averment of our bill is supported by the words of Mrs. Eddy. It is her church, her form of government, that we are asking may not be destroyed.

When Mr. Krauthoff withdrew as counsel for The Christian Science Board of Directors we questioned seriously returning to our home in silence; but we could not respect ourselves and withhold information that belonged to this court—information that would enable that court to administer justice for which it was created by confident people, information that would enable this court to protect a religion which, even our enemies admit, blesses every community in which it is found, bettering its men, women and children, mentally, morally and physically, and ever teaches law and order; a religion whose very foundation has been attacked by theories promulgated by the

selfish personal ambition of unworthy officers, supported by argument based on the mere letter of the law and absolutely disregarding its spirit; information without which this court might be impelled to write upon its records a decision that would ultimately wipe out the greatest achievement credited to woman in the history of the world, for Christian Science is a woman's work.

Therefore it is very meet that, as an American woman, as a Christian Scientist and a member of The Mother Church, I stand before this court and plead with you to heed this man, to ponder soberly his words, that you may not be swayed by arguments that deny us as members the very right of self-preservation.

Remember, I pray you, that like a pulsating heart, you hold in your hands the idealism of a great army of earnest, God-loving men and women; and let it not be said that the courts of Massachusetts, with all her wealth of history, a history that ever tells of a mighty struggle for moral and religious advancement—let it not be said that this court failed to uphold our rights as American citizens to continue our religious institutions according to the law of our order, whereby literally crime, sin, sorrow, sickness of every phase are healed. Give to us as Christian Scientists, as members of The Mother Church, the support and protection that are our due, our Church and its organization as our Leader left it to us, untainted by these warring factions that have no right or place therein, and prove to the world that the laws of this land at least emulate the great Exemplar, and are come to fulfill and not destroy.

ARGUMENT ON BEHALF OF THE COMMONWEALTH

Hon. J. WESTON ALLEN, Attorney-General.

Mr. ALLEN. May it please the Court: The authority of the Attorney-General to appear in matters relating to charitable trusts is an authority that comes to him in the first instance under the common law and afterwards by statute. The authority and the extent of that authority have been called in question. It is of course true that there are many cases in which charitable trusts are parties in which it is not necessary, and therefore not appropriate, that the Attorney-General should appear. I need not cite those cases; but there are some issues in this case, in this group of cases, in which the Attorney-General on behalf of the public is not concerned. I am willing to include in the authority of the Attorney-General in this case those things which in the brief of Mr. Thompson have been mentioned as those with relation to which the Attorney-General is an interested party on behalf of the public, to wit, the establishment, the protection, the enforcement, and the proper management, of the trust.

There is in law a clear line of demarcation which fixes the interest of the Attorney-General, and that line of demarcation is the public interest in a public charity. Wherever the public interest is concerned there always the Attorney-General as an official appears, properly to represent that public interest.

In the present case the duty of the Attorney-General to appear rests in the fact that the establishment, the protection, the enforcement and the proper management of these great charitable trusts is put in issue in a proceeding which, in the first instance, appeared to be a controversy between two respective boards of directors and trustees.

I appear to suggest that I am a necessary party in Eustace v. Dickey, as has appeared from the fact that for an hour and three-quarters, eminent counsel, representing the plaintiffs in that case, has discussed the great fundamental question upon which the administration of this trust—of all these trusts—rests, I appear to maintain the demurrer in the proceedings brought by Mr. Krauthoff, in which I am joined as a party defendant; and I appear affirmatively to maintain the right of the public in the bill which I have brought and which is now before the court.

In each of these proceedings I have submitted briefs, and in those briefs I have cited the authorities which seem to me to be of importance for the consideration of the court; and in the limited time of argument I shall not for the most part cite the authorities or discuss the cases.

I wish to address myself primarily to the fundamental question of whether or not the contention of the plaintiffs in the case of Eustace v. Dickey, or the contention of the Directors, and the contention which I have put forward in the Information filed in this court, is the interpretation of the Deed of 1898, which effects the fundamental purpose of that Deed; and I, following the arguments that have been made, find that with one single exception all of the parties are agreed that the fundamental purpose of that Deed of 1898 was to effectually promote and extend the religion of Christian Science, and in that respect it differs not in any way from the purpose of the church which was established by Mrs. Eddy, the Founder, and it is the same as the purpose which animated her life.

That, then, is the dominant purpose; and if that was the dominant purpose of the Deed of 1898, then the question that is presented to this court is, What construction of that Deed more effectually carries out the dominant charitable purpose of that Deed? I submit that the construction which is put upon that Deed by the plaintiffs is not the construction which more effectually carries out that dominant purpose of her life and of that Deed, and the dominant purpose which was shown in her will, and there expressed.

Let me for a moment turn the attention of the court, somewhat chronologically, to the development of the religion of Christian Science which antedated that Deed of 1898. The church was established and incorporated in 1879, with Mrs. Eddy as its pastor; and in all the activities of the

Christian Science religion from that date until 1898, it is averred, and it is not disputed, that Mrs. Eddy as the Founder and Leader and Pastor and Pastor Emeritus of the church, was the person who directed all of the activities of the Christian Science religion, and her direction and authority were found and admitted never to have been questioned during that time.

Something has been said to the effect that I allege, in the bill of the Attorney-General, that the church had its preliminary organization or reorganization in August of 1892, as a voluntary religious association, with four directors. The allegation that the church was organized in its preliminary organization in August, 1892, is an admitted fact in the case before the court upon demurrers. It has been called in question. In other words, the learned counsel for the plaintiffs, although that is an admitted fact under the demurrers, has seen fit to cite some evidence to the effect that that could not be so. At the proper time I can show, by a letter of Mrs. Eddy, that there was such a meeting, and that at that meeting the Directors were chosen under the usage of the church at that time.

It is true, and there isn't any question, that the reorganization was completed on September 23, 1892. For instance, of the 22 persons who were present at the former meeting in August, 11 were present in September 23, 1892, and they added 20 to the number, so that in the completed reorganization there were these members.

The significance of that allegation rests in this fact. The Master in his report has intimated that there was no church of which there could be Directors when the Deed of September 1, 1892, was executed; that that title of the directors was a meaningless title, floating in ether, as it were, until the Deed of twenty-three days later. I only say that the fact alleged in the bill is material in a consideration of this case at this time, because upon that allegation it appears that there were Directors when the Trustees were appointed, and that under the deed of September 1, 1892, Mrs. Eddy, the donor, named the four persons who had already been chosen Directors to be the trustees under that Deed, and it gave meaning to that Deed, and there was nothing of the uncertainty that would otherwise appear to be manifested.

Now, the Deed of 1892 created a trust, a public charitable trust, which was a step in the development of Mrs. Eddy's work and the carrying on of her religion. That Deed, like a subsequent deed creating the Trustees of the Publishing Society, was permanent and irrevocable, and in that Deed she charged those Trustees that they "shall maintain public worship in accordance with the doctrines of Christian Science in said church, and for this purpose they are fully empowered to make any and all necessary rules and regulations."

And, again, in the fifth paragraph: "Said Board of Directors shall not allow or permit in said church building any preaching or other religious services which shall not be consonant and in strict harmony with the doctrines and practice of Christian Science as taught and explained by Mary Baker Eddy in the seventy-first edition of her book entitled 'Science and Health,' which is soon to be issued, and in any subsequent edition thereof."

Those obligations to protect the purity of the church's services were placed upon those trustees permanently as long as that obligation obtained. The deed of 1892 primarily regulated a trust relating to the church edifice. That was its obvious purpose, its specific function, in the development, the promotion and the extension of Christian Science as distinguished from the church organization which had been effected and was perfected on September 23.

After that by-laws and rules were adopted when the reorganization of the church was completed and subsequently, in 1895, the Manual of the Church was adopted.

I wish now to bring to the attention of the court the situation which existed when this deed of 1898 was executed. At that time there had been a publishing society which about a year before that had been incorporated, which had been acting in the publication of the organs and the literature of the church. That publishing society had been first organized in 1883, and pointed out that this instrument is permanent and irrevocable; and in the next breath counsel alludes to this as something temporary and ephemeral. That cannot be. The rule which made the instrument irrevocable gave to Mrs. Eddy, if we are to give a proper construction of the deed, the right to advise and direct in such a way that that authority should continue with the life of the deed. And if that construction will reconcile the obligations of this instrument and the obligations of the Manual doesn't that bear weight with any determination of the question?

Submit that this court is going to be slow to give a construction to this deed which is contrary, in the first place, to the known construction that Mrs. Eddy put upon it; second, it will weigh carefully before it gives to this instrument a construction which places the control of the organs and the authorized literature of the church beyond the authority of the supreme ecclesiastical authority of the directors; and in the third place, it will hesitate to give a construction which imposes upon the members of the Publishing Society an obligation which calls for the repudiation of the obligations of the Manual to which they as members of the Church have subscribed. If there is a construction which is consistent with the deed and which will avoid those things which should be avoided, if that can be, then that construction will prevail.

The language of that third section uses the words, "if I shall at any time elect to advise or direct them." In another instance she specifically limited her reservation to her lifetime. In the fourth section it is provided: "Said trustees shall hold the money so paid over to him subject to the order of 'The First Members' of said Church, who are authorized to order its disposition only in accordance with the rules and by-laws contained in the Manual of said church."

"No Board of Trustees shall ever be formed by or between the members of this Church except the trusteeship be constituted by the Pastor Emeritus."

That made it possible for Mrs. Eddy to create a trust in the Church which would be subject legally to those limitations which were not previously subject to the corporation which had conducted that work. And then, having received all the real estate and personal property of that corporation, she decided to amend the by-laws of the Publishing Society, and at that same time—and I submit that it indicates her intent—she conveyed, not to the four trustees who had received the land in 1892 but to the Church itself, by deed, the real estate that had been the property of the incorporated Publishing Society. And from that time under this deed the trustees of the Publishing Society as a trust organized in the Church conducted that activity of the Church, to wit, the publication of its authorized literature and the business formerly carried on by the Publishing Society, under the property of the Church and under her direction as long as she lived.

on the publishing activities which had formerly been exercised by an independent corporation, she caused an amendment of that by-law.

Article V, section 5: "No Board of Trustees shall ever be formed by or between the members of this Church except the trusteeship be constituted by the Pastor Emeritus."

That made it possible for Mrs. Eddy to create a trust in the Church which would be subject legally to those limitations which were not previously subject to the corporation which had conducted that work. And then, having received all the real estate and personal property of that corporation, she decided to amend the by-laws of the Publishing Society, and at that same time—and I submit that it indicates her intent—she conveyed, not to the four trustees who had received the land in 1892 but to the Church itself, by deed, the real estate that had been the property of the incorporated Publishing Society. And from that time under this deed the trustees of the Publishing Society as a trust organized in the Church conducted that activity of the Church, to wit, the publication of its authorized literature and the business formerly carried on by the Publishing Society, under the property of the Church and under her direction as long as she lived.

I have said that the dominating purpose of the deed of 1898 was the extension of Christian Science.

"The said trustees shall hold and manage said property and the property rights exclusively for the purpose of carrying on the business which has been heretofore conducted by the said Christian Science Publishing Society in promoting the interests of Christian Science."

The learned counsel for the plaintiffs in the case of Eustace v. Dickey stated that at the opening of his argument. This morning, when he was speaking as to the conduct of the directors in removing the trustees, he said the fundamental purpose was to manage the trust independently and on their own responsibility. It is a pertinent question which of these two purposes was the dominant purpose because in this consideration of this charitable trust the dominant purpose is going to control. But let me call attention to the fact that in that first section not only the dominant purpose of the trust was declared, the dominant purpose of all Mrs. Eddy's activities, but the special function of that trust was stated and limited. It is limited to carrying on the business which has been heretofore conducted by The Christian Science Publishing Society. This trust received only the charge of carrying on the business that had heretofore been conducted by The Christian Science Publishing Society, and that business had always been conducted under the direction of Mrs. Eddy and as a part of the activities of the Church.

And then the next section of that deed which is significant and which has been argued by counsel is the third.

"Said trustees shall energetically and judiciously manage the business of the Publishing Society on a strictly Christian basis and upon their own responsibility and without consulting me about details, subject only to my supervision, if I shall at any time elect to advise or direct them." And these words "upon their own responsibility" have been taken out and presented in vacuo as a claim that that gave to these trustees an independent authority to act. There is something suggestive in the very next line where it says "without consulting me about details." The meaning of that is no different than if in my own department I should say to an assistant that he should manage a matter upon his own responsibility and without consulting me about details, subject only to my supervision if I should at any time elect to advise or direct him. Can I have any different meaning when taken with the context? And then I call the attention of the court—because I believe it is one of the most important things in determining the construction of that instrument—to those words "subject only to my supervision if I shall at any time elect to advise or direct them." In the conduct of that entire business she reserved in that section 3 at any time the right to advise and to direct.

Now, in the argument that has been addressed to this court it has been pointed out that this instrument is permanent and irrevocable; and in the next breath counsel alludes to this as something temporary and ephemeral. That cannot be. The rule which made the instrument irrevocable gave to Mrs. Eddy, if we are to give a proper construction of the deed, the right to advise and direct in such a way that that authority should continue with the life of the deed. And if that construction will reconcile the obligations of this instrument and the obligations of the Manual doesn't that bear weight with any determination of the question?

Submit that this court is going to be slow to give a construction to this deed which is contrary, in the first place, to the known construction that Mrs. Eddy put upon it; second, it will weigh carefully before it gives to this instrument a construction which places the control of the organs and the authorized literature of the church beyond the authority of the supreme ecclesiastical authority of the directors; and in the third place, it will hesitate to give a construction which imposes upon the members of the Publishing Society an obligation which calls for the repudiation of the obligations of the Manual to which they as members of the Church have subscribed. If there is a construction which is consistent with the deed and which will avoid those things which should be avoided, if that can be, then that construction will prevail.

The language of that third section uses the words, "if I shall at any time elect to advise or direct them."

"Said treasurer shall hold the money so paid over to him subject to the order of 'The First Members' of said Church, who are authorized to order its disposition only in accordance with the rules and by-laws contained in the Manual of said church."

I may mention in passing that one objection that has been made to the bill was that the treasurer of the Church was not joined. I need only mention that, because he is not an official upon whom any obligation was to be imposed in granting the relief asked for by the bill; but this trust which was created gave the income of this trust to the Church—to the Church—to be ministered by the First Members, and in accordance with the rules and by-laws contained in the Manual; so that all of the income of this trust under the deed of 1898 was to be received by the Church to be administered under the Manual—not under the deed of 1892.

Then I want to refer to Section 8 of this deed, which has not been discussed.

"Said trustees shall have direction and supervision of the publication of said Quarterly, and also of all pamphlets, tracts, and other literature pertaining to said business, using their best judgment as to the means of preparing and issuing the same, so as to promote the best interests of the Cause, reserving the right to make such changes as I may think important."

That reservation of "the right to make such changes as I may think important," which was interlined in that instrument, was in order to repeat and confirm the power of Mrs. Eddy, which she had recited in Section 3, to make changes in that instrument, in its administration, if she might advise or direct such changes. It was to make clear that that was subject to the same limitation.

Section 9 provided:

"Said trustees and their successors in trust shall not be eligible to said trusteeship or to continue in the same, unless they are loyal, faithful, and consistent believers and advocates of the principles of Christian Science as taught by me in my book 'Science and Health with Key to the Scriptures.'"

Was that a material provision in this deed? And if it was, how was it to be enforced? It was to be enforced under the discipline of the Church. It could not be enforced in any other way. And in order to enforce it it must be construed in connection with Section 10.

May I call the Court's attention to the fact that the power of excommunication in the Church vested from the beginning in the Board of Christian Science Directors under the 11th Section of the Manual? The power of excommunication is that high power which vests in the supreme ecclesiastical authority of a church. That power is not questioned in any of these proceedings; and therefore this board of directors has had the power of excommunication over any member of the Church who was disloyal or unfaithful.

See what a situation develops if the supreme ecclesiastical authority of the Church, which has the power of excommunication of these trustees as members of the Church, has no power of removal from office. Will it be said that the ecclesiastical authorities who have the power of excommunication by the intent of Mrs. Eddy did not have the power of removal of a person who was disloyal or unfaithful? And yet if you give to Section 10 of the deed the interpretation which is contended for it you have a situation where disloyal and unfaithful members of this Church could be excommunicated from membership in the Church, but because of the interpretation put upon Section 10 they could not be removed from their office as trustees in conducting the publications of the Church. The power of removal of the trustees who were conducting the publication business of the Church, including the reading lessons in the churches, was an ecclesiastical power, and obviously not a civil power, and yet under the contention that is here made if Section 10 is given the construction that is asked for, it is as if the directors could excommunicate a trustee as a member of the Church, they cannot say that that excommunicated, unfaithful, disloyal member shall stop publishing the authorized literature of the Church, but that only a court can do that when invoked by the authorities. I submit that it is unthinkable that Mrs. Eddy could have intended the construction of the deed which would take from the supreme ecclesiastical authority of the Church the power to remove, when it gave to them the power to excommunicate disloyal members.

Section 10: "Whenever a vacancy shall occur in said trusteeship for any cause, I reserve the right to fill the same by appointment, if I shall so desire, so long as I may live."

If not, it was then given to the First Members together with the directors.

Now, the 13th clause says: "Said trustees shall each receive annually one thousand dollars for their services in that capacity, payable semiannually in payments of five hundred dollars, or such salary as the said Church may determine from time to time."

That authority was given to the Church, and I submit that that authority to the Church was in the mind of Mrs. Eddy given to the same body as the authority given in Section 10—the authority to fix salaries; the power of the purse, vested in the Church and in the governing body of the Church, which must be the permanent governing body. And so with respect to Section 10. In other words, this question would never have arisen if in the drawing of this instrument, in either Section 10 or Section 13, it had said, "the then governing body of the Church." Was that not what Mrs. Eddy meant? To hold otherwise is to create an irrevocable deed and give no power to the ecclesiastical authority of the Church to control a

trust which is created within the Church.

Mr. Hughes has pointed out to this court that in the will of Mrs. Eddy, and in a codicil to the will which was executed a few years later, the Trust Deed was confirmed. I enter the door which he has opened, and I ask, What Trust Deed did Mrs. Eddy confirm? It is admitted that she wrote the by-laws, with one possible exception, I believe, and that every one of them had her approval. Will it be contended that in that last moment of her life, when she confirmed this deed, this instrument of 1898, she confirmed it as she herself intended it and construed it, or will it be contended that by confirming that instrument she confirmed it in a form to repudiate the provisions in the Manual, which, under the interpretation given by the plaintiffs, are in conflict with it? Mrs. Eddy's understanding of that instrument, and the limitations which she put upon it as the donor, are indicated by the fact that in the Manual of 1898 she caused Article XI to be changed in a manner in which she therein, within a few weeks, within a month after the execution of the instrument, exercised that authority which she reserved to direct how the business should be conducted. To direct "at any time" includes a direction which was to operate permanently; and under Article XI she said:

"The Board of Trustees, constituted by the Deed of Trust given by Rev. Mary Baker E. Eddy, the Pastor Emeritus of this Church, on January twenty-fifth, 1898, shall hold and manage the property therein conveyed, and conduct the business of 'The Christian Science Publishing Society' on a strictly Christian basis, for the promotion of the interests of Christian Science. [The dominant purpose repeated.] The net profits of the business shall be paid over semi-annually to the Treasurer of the First Church of Christ, Scientist, in Boston, Mass. Said Treasurer shall hold the money paid over to him subject to the order of the First Members of said Church, who are authorized to order its disposition only in accordance with the rules and by-laws contained in the Manual of said Church [which is the constitution of this public charitable trust with respect to the powers which came to the Church as annual gifts through that trust of 1898].

The First Members together with the Directors of said Church shall have the power to declare vacancies in said trusteeship for such reasons as to them may seem expedient. Whenever a vacancy shall occur in said trusteeship for any cause, the Pastor Emeritus reserves the right to fill the same by appointment; but if she does not elect to exercise this right, the remaining trustees shall fill the vacancy, and the candidate proposed for this office shall be elected by a unanimous vote of all the First Members of said Church."

That was a direction which she gave within three weeks of the time when the deed was executed; and subsequently she gave directions which she made permanent by having them inserted in the Manual, which more directly controlled the business that was being conducted by the trust. She said that the manager and the editors of the Christian Science Publishing Society should be selected by the directors, and she said that the employees of the Christian Science Publishing Society should be persons that the directors held were suitable. In those directions given to exercise her power to direct the administration of that trust, and made permanent by her, because she declared that the Manual should be permanent, she gave permanent direction to control a permanent trust instrument under the Church. That is not a forced construction: it is the natural construction. It avoids the limitation that she, giving an instrument which was to be for all time, limited herself to a temporary change in the management of that instrument which would cease with her lifetime. And in view of the fact that with respect to one limitation she specifically limited that to her lifetime.

It has been said that this Church is not a public charity, or a public charitable trust, as alleged in the information which I have filed. I submit that a church, under the decisions of this court, receiving any gift, receives it as a public charity, and that when that gift is received as a gift to the church eo nomine, the church is the recipient of that gift under a public charitable trust. And it is alleged in the Information that several millions of dollars have been received by this church as gifts; and that is admitted. For example, when the deed of 1892 was executed, creating four trustees to build the first church, certain pieces of land was given to them as the gift in the making of that trust, charged with the obligations of the trust. That church was built on a small piece of land, a small triangular piece of land. And then came the time when the enlarged church, covering all of the balance of that triangular piece of land bounded by those three streets, was built. Those gifts were not received by those four trustees. The enlarged church was not built by those four trustees. Those gifts were received by The Mother Church from the members of The Mother Church, and the Church was erected by the directors of the Church under their authority as directors, and not charged with the trust of 1892, the deed of 1892.

Of course the income from the Publishing Society, which has been received semi-annually, is not charged with the trust of 1892. It was received by the church and administered by the officials of that church. How? Under the Manual, which is the constitution under which the dominant public charity, to wit, the Christian Science Church, is administering all of the funds, which are received by the church. It cannot be contended that much of the money that is being received and expended is handled by the Trustees under the Deed of 1892, because they had no powers to perform



the necessary duties to carry out the particular objects of the dominant charitable trust. That trust is conducting religious services in a building that was not built upon the land which was included in the deed of 1892. It has been erroneously stated here that after that, with a single exception, all of the deeds ran to those four trustees. There are five of the deeds of land, so far as that is material, which run to the five trustees of the church.

The particular objects of the church charity in its administration include religious services, lesson sermons, Reading Rooms, Sunday Schools and Lectureships. I call the attention of the court to the fact that those objects are not all included in the Deed of 1892, and that money received under the Deed of 1892 could not be expended for those purposes.

In other words, the Deed of 1892, like the Deed of 1898, created subsidiary charitable trusts, agencies, in the great work of the church, which has received by far the chief amount of the gifts that have come to extend the Christian Science religion. When that church was built, under the admonitions of the Deed of 1892—the original church—and when the larger church was built by the five trustees, the services of the church were thereafter conducted, not on the land included in the Deed of 1892, but upon other land, in another building, by contributions made to the Christian Science church. The obligations of the trustees as such under the Deed of 1892 obviously were restricted, because their duties were dominated under the Manual by the dominant charity, the Christian Science church, which, through its officials, under the Manual, expended those charitable funds.

Mr. THOMPSON. Would you object to my correcting one statement of fact? All those Deeds were made to the four trustees, and I thought probably you knew that. They were made to the four trustees, under the Deed of 1892, and that entire church building was built upon land owned by those four trustees. I only correct that, among several mistakes of fact of a similar character that you have made.

Mr. ALLEN. Well, before I close tomorrow I will give a list of the five deeds, and of course that is a matter of verification. It is, however, immaterial who held title to those lands. That must be obvious. They could be given to the church or to trustees appointed who would hold the title. They were in some cases deeded to the four trustees, Mrs. Eddy, having shown her intent to give the lands which had been the property of the corporation which published the literature of the church, subsequently made the release to give that land to the four trustees. But they held that, not under the Deed, but merely as holding the title for the church.

The question has been discussed as to whether or not either the Board of Directors or the church was a corporation. I do not attach great importance to that except in this regard. Mrs. Eddy, in the Deed of 1892, obviously intended—because she said so within the four corners of the Deed—to convey to the four trustees as a corporation, and that is a matter for consideration in determining whether or not those four directors were and are a corporation.

It has been said that they are not similar officers to deacons or wardens. The statute, Chapter 37, Section 1, of the Revised Laws, in saying "deacons, wardens or similar officers," I submit is not emphasizing those duties of wardens and deacons which are not administrative. Ministerial duties, ceremonial duties, religious duties, performed by deacons and wardens, are not duties, if in fact emphasis is to be put upon duties. But the reason for the statute, as we all know, was because under the common law an unincorporated religious association could not hold property, and the purpose was to give to the administrative body, the administrative officers of the church, the right to hold in succession, and correct a difficulty which arose from the fact that unincorporated religious societies could not hold property. It is an administrative duty that is put upon deacons, wardens or similar officers. In this church it is to be implied that for the purpose of receiving gifts which could not be received by an unincorporated religious society, that statute is to be so construed that the administrative body of the church, the executive body of the church, is not entitled under the statute to receive them? The intent of the donor was to give to those directors, who were the only administrative officers of the church, the authority, the power, to hold, which in other churches is given to deacons, wardens and other similar officers, because they are the officers in the other churches that perform administrative duties.

Obviously, the Legislature did not put a narrow construction upon it when they enacted the statutes. The fact that the trustees in the State of New Hampshire received the gift under Mrs. Eddy's will has no bearing whatever upon the purpose of the Legislature, or the effect of the Legislature, in passing the earlier statute, and when the Legislature passed the later statute, the statute of 1917, Chapter 132, the statute which is cited in my brief, it provided that the church should be deemed to have the right to hold real estate and personal property which had been given for the uses of the church. This court will give to that legislative enactment force if it can be given. And with respect to that statute, whether or not it is held that it was intended to be declaratory of Section 1 or Section 12—I am inclined to think the latter—in any event it gave to the church the authority to receive gifts; and the gifts that had been received by the Directors or by any other body or in any other name, which were intended to have been given to the church for the uses of the church.

The allegations in my bill with respect to the church as a charity are sufficient, because I have alleged the

existence of the church, and the gifts to the church, so nomine, whether contributions or whether income of the Publishing Society, are within the rule and ample administrative machinery, whether incorporated or unincorporated, exists for the exercise of the duties to carry out the objects of the trust.

"Tell me what was done under such a deed and I will tell you what that deed means," said Sugden, as Irish Chancellor, in Attorney-General v. Drummond, quoted in the Dublin case, 33 N. H. 459. The full equity jurisdiction of this court gives to this court the capacity to recognize all gifts given to this dominant trust and to provide for their administration.

Now, I have suggested, in the information that I have filed, that the court can invoke the doctrine of cy pres in order to carry out the dominant purpose of the trust. I believe, for the reasons stated, and by an analysis of those sections within the four corners of the Deed, that the construction of the Deed makes that unnecessary; and that the Deed is subject to construction is obvious from the fact that the plaintiffs in this case undertake to construe it, and the Master undertakes to construe it, and the court has a Deed which may carry out the provisions of Mrs. Eddy as set forth in the Manual, if that construction more truly carries out the purpose of the dominant trust, or it may give the narrower construction which has been claimed for it by the plaintiffs.

The control intended for the Directors is essential to more effectively promote Christian Science. No church can endure that lacks or has lost the power to formulate its own tenets and doctrine and to enforce them by its discipline. This power is inherent in every church which has survived, whether Catholic or Protestant.

In this case the situation is different from the Congregational churches as we know them in New England, whether Trinitarian or Unitarian. There the power of the church over its literature stands upon a different basis, because each church controls what is said in its church and in its Sunday School.

This case is perhaps analogous—closely analogous—to the Episcopal church as we know it, where the authorized literature of the church is a part of the church service. In the Christian Science church that is the same. The authorized literature, which is in the hands of the Trustees of this Publishing Society, is read in every church of Christian Science in this land or in any other land. If it purports to issue authoritative literature the discipline must extend to that literature, else it ceases to be authoritative. Two bodies, each authorized to determine what shall be authoritative, are impossible.

In that connection, the duty imposed upon the Directors under the Deed of 1892 to protect the purity of the services in the churches, was the same duty, charged with the same obligation, and equally permanent, as any duty imposed in the Deed of 1898; and the construction which gives permanently to the governing body of the church the authority over the authorized literature of the church makes possible the carrying out of both of those trusts, and places the authority to determine what is authorized literature of the church in the ecclesiastical authorities of the church. If it is otherwise, this court has got to assume the duty of determining what is the authorized literature of the church.

There is nothing unworkable in the contention which is made by the Directors, on behalf of the beneficiaries of this trust, in carrying out the provisions of the Manual. The First Members ceased to function, not in 1908 when they were abolished, but in 1901. And from 1901, during nine years of Mrs. Eddy's life, the business of the church was conducted by the Directors in every particular, and this is business of the church. It is just as much business of the First Members as any other business which they were called upon to perform. Such control by the church is especially necessary in the present case by reason of the complementary provisions of the Manual. The church is to supply the Publishing Society building, the literature is to be sold in the Reading Rooms and is to be bought by the field. There is the injunction of the Manual on the church, that the members of the church shall buy this literature if they can afford it. And yet it is contended that the Manual does not operate to protect that literature, by the authorities of the church, who are responsible for the authoritative utterances of the church through its authorized literature. The Lesson Sermons are an essential part of the church service.

Mrs. Eddy could exercise her supervisory or directorial powers by the permanent directions contained in the Manual, which she approved as well as by temporary directions contained in letters or messages given by word of mouth. She did so by Article XI of the Eighth Edition of the Manual, which was adopted with her approval only a few weeks after the deed was delivered. This is Article 25 of the 89th edition of the Manual, with changes appropriate to vesting all powers in the directors. Mrs. Eddy has confirmed the deed, but she confirmed the deed with the construction which she put upon it during her lifetime.

In conclusion we say that in considering this question I present it to the court because it involves the fundamental question of the true construction of the deed of 1898 which is now before the court for the first time. I have no interest, I have no client, except the Commonwealth. I represent only and speak only for those public rights which are in issue. But certainly from financial considerations and from every consideration the issue presented and which is made a material issue in the case of Eustace v. Dickey is an issue which is of vital public concern. Upon the construction placed upon this deed the question is to be determined which in the future will assure to the Church

the purity of the authoritative literature of the Church, and that is the procedure in order to carry out the procedure and extension of Christian Science, because the adherents of Christian Science cannot be expected to support a trust which is not being conducted under the direction of the Manual to which they have subscribed.

The pole star of the argument on the other side is the parole evidence rule. The contention of the directors, which is the contention of Mr. Dittmore in this record, because he reserved, by objection and by exception before this court, his claim which he consistently made for ten years, that the directors had the control of the business of the Publishing Society through the removal of the trustees—the contention of Mr. Krauthoff—all in accordance with the position which I have taken, and the only persons who ought be before the court, claiming otherwise than a construction which is in accord with Mrs. Eddy's views, which makes possible allegiance to the trust deed and to the Manual, the only persons who are before the court contending for, any other construction, are three trustees who are here claiming that one of their number has been improperly removed. I refrain, because I speak impersonally and as an officer of this court, from suggesting anything as to what I think the Trustees of the Publishing Society should do or what I think the Directors of the Church should do in this great crisis. To my mind the public are not concerned with the question of whether or not this trustee has been removed properly or improperly provided only that the great question of the construction of the trust deed of 1898 is determined in accordance with the interests of the public. And of course, as it seems to me, the public is not concerned—at least I have taken that view—with the question of whether or not Mr. Dittmore was properly or improperly removed. I have refrained from presenting to the court any question except that question of construction, which is vital to the future of the trust, which is the construction placed upon it by Mrs. Eddy, and which has the seal of her life purpose and the construction which is essential to protect the public who are those for whom I appear.

I should like to give the balance of the time to Mr. Choate who will speak further upon the cases in which I am interested.

RUGG, C. J. In what capacity do you speak, Mr. Choate? In what capacity do you introduce Mr. Choate to speak, Mr. Allen?

Mr. ALLEN. I introduce Mr. Choate to speak on behalf of the Commonwealth under my request and speaking officially for the Commonwealth upon the cases in which the Commonwealth is a party.

RUGG, C. J. Is that to be interpreted as stating to the Court that you in your official capacity as Attorney-General have appointed Mr. Choate as your special assistant for the argument of the cases?

Mr. ALLEN. In the practice of the office it has not been necessary to make a definite appointment of an assistant in order to ask them to appear. But for this purpose I have requested him to make a portion of the argument on behalf of the Commonwealth.

RUGG, C. J. Very well. Mr. Choate speaks in behalf of the Commonwealth.

ARGUMENT ON BEHALF OF THE COMMONWEALTH

by

CHARLES F. CHOATE, Jr., Esq.  
Mr. CHOATE. May I please your Honors? I appreciate the courtesy that your Honors have shown me in allowing me to speak in support of the Attorney-General's bill, and I acknowledge my gratitude to the Attorney-General in granting me a portion of his time.

I know the court is weary at the end of a long day and that the matter has been most fully discussed, and I should little venture to have the temerity to again recite the history of this litigation or to deal extensively with the facts. A few important features, as it seems to me, of the cause as it is presented by the Attorney-General's information only I wish to ask your attention to.

I must confess I do approach the discussion of the question that is here in litigation with a proper sense of humbleness and inadequacy. Nobody in this room was unaffected by the earnest and beautiful appeal of Mrs. Krauthoff, and when you know that she speaks for a million others, her faith whose hopes are centered here on the issue that is to be decided by this court, you know how a listening world is waiting to see whether the faith in which it has lived is to be shattered—because upon whether the question for which the Attorney-General stands, the proposition upon which his bill is based, may be sustained, depends the whole future of the Christian Science church.

Do you remember, in Macaulay's Essays on the Papacy, his description of the grandeur and permanency of the Roman Catholic Church, and how, when he has described its origin in the very twilight of history, and has said how it outlived Greece and Rome and Venice, he ends his description in language something like this: "And she will still flourish in undiminished vigor when, two thousand years hence, some traveller from New Zealand shall stand upon a shattered arch of London Bridge, amid a vast solitude, to sketch the ruins of St. Paul's." It was the hope of millions that was voiced by Mrs. Krauthoff, to see their church attain an age and a grandeur and a permanency that will not be unlike that of which Macaulay spoke those words.

Now it all depends upon what the court determines to be the public charitable trust which the Attorney-General now asks this court to construe, because I think one may brush aside all the technical objections which are made to the Attorney-General's bill, and base it simply and solely upon his right as representing the Commonwealth to come to this

court and ask for a construction of a public charitable trust. All concede that every feature of this structure, of which we are endeavoring to present the different parts to you and fit them together in their proper ultimate form, is a public charitable trust, and that he may represent the beneficiaries.

In all respects except as to who has the right to speak we are in accord with Mr. Krauthoff's contention. The question is, I say, what construction the court will, at the instigation of the Attorney-General, place upon those instruments and those activities and those acts and that history which go to make up the whole of this structure which the Christian Scientist calls his Church.

No one who listened to the argument of Mr. Hughes, Mr. Justice Hughes, I like to think of him—but was affected by its power and by what would concede the soundness of his argument with reference to the deed of 1892 if his premises were accepted. It is right there that the information filed by the Attorney-General brings to this court information with reference to facts, at the behest of the beneficiaries of this trust, that this court ought to know and must know before the true construction can be given to the structure composed of these various parts.

I ask your attention to the difference between the contention presented by Mr. Justice Hughes and the contention of the Attorney-General in his information. The plaintiffs, for whom Mr. Justice Hughes speaks, stands upon the proposition that the church as it is today, and the Board of Directors of that church, had its origin in the deed of September 1st, 1892; that Mrs. Eddy by that instrument created the Christian Science Board of Directors, and that they were nothing but trustees except as other duties were transferred to them or devolved upon them under the Manual which was subsequently adopted. It then becomes quite easily possible to adopt the language of the Master, call them trustees-directors, or any other insignificant name which belittles their position, which is the effort of the plaintiffs here to do, and by contract with their simple and limited origin, to charge them with arrogating the assumption of powers which are vast and which do not belong to them. But the truth and the fact is that their origin is quite different from that upon which it was based in the case of Eustace v. Dickey.

And because of that fact, and because the facts with reference to their origin were not presented to the Master in that litigation, I am happy to say that the Attorney-General has seen fit to listen to those who are beneficiaries of this great trust, and come here and tell the court what the facts are. A little of the venom of Mr. Thompson's argument, I understand, spattered upon the Attorney-General, because he thought that it was a public duty to have those facts presented to the court. Whatever there may be of reproach in the attitude of these beneficiaries of the Church coming forward here to save that Church when they saw this rising tide of destruction destined to engulf it I am willing to accept. I think that it is their duty, and the Attorney-General's duty, to come here and save it, because it is a public charitable trust, and not leave it to be destroyed by the petty litigation which may be conducted between officers of this Church in a dispute between themselves.

Now, the fact, then, as to the origin of the Christian Science Board of Directors is this, as stated in the Attorney-General's information: They were elected at a meeting of the Church in August, 1892. The religion of Christian Science was revealed to Mrs. Eddy and founded by her in 1866. The Church had been established and incorporated by her in 1879. It was a reorganized church which met in August, 1892, and elected Christian Science directors. But it was a church in 1892 which did not spring from nothing on that day. It had a past; it had a past of fourteen years—thirteen years; it had customs and usages and traditions and practices. The Attorney-General alleges that the Christian Science Board of Directors were elected in that August meeting when the Church was reorganized according to the usages and practices of that Church.

Now, it seems to me that it is of little importance to consider on debate whether those persons were afterwards elected to the office by voting members or whether they were given power at that time to fill vacancies and to appoint their own successors. They were chosen, and they continued to act as the Christian Science Board of Directors according to the practices and usages of the Church. So the Attorney-General informs you, and so he is ready to prove. Of that I shall speak a little more later; but the significance of that fact is this—it has an immense importance in the interpretation that you place upon the language of the deed of 1892.

Now you have noticed, I know, already that the deed of 1892 ran to the four named persons and their successors in office forever; not their successors in trust. In making the Trust Deed of 1898 Mrs. Eddy used the appropriate words; she named trustees, and gave the grant to the trustees and their successors in trust. But she recognized quite clearly and consistently that the Christian Science Board of Directors were officers of her church, and she properly described in her grant a grant to those officers and their successors in office, and as was pointed out in an earlier argument, four times in the course of that deed she refers to them and their successors in office. Now, it is possible, I suppose, to argue, though not plausibly or convincingly, that that language, "successors in office," referred to the trust. But it did not; it could not have. It referred to the office to which they had been elected within a few days, before that time, and which they held; and that version of it is confirmed by her reference to them as a body corporate. They did

possess, they acquired, those attributes which the statute gives them, at least to the extent of being a body corporate for the purpose of holding and taking title to real estate. Possibly they had—very likely they had—other powers beyond those, which were given to them from other sources, but, for the purposes of this deed, they were the Christian Science Board of Directors, the officers elected as directors of that Church, who are named as such, and who are to be trustees, with their successors in office.

Now, I know also that your Honors have observed the provisions that she made for succession. She did not reserve any right to appoint successors. She provided that they themselves should fill vacancies in their number. The whole trend of the instrument is consistent with that theory, and it is not soundly consistent with any other, namely, that she recognized their election to the office, as the Attorney-General informs the court, according to the uses and customs and practices of the Church. She gave the grant to them in her official capacity. She intended them to be succeeded by those who succeeded them as directors of the Church, and by none other.

Now, then, it is obvious that that places a vastly different complexion on the subsequent history of that board and its subsequent powers from what the Master assumed them to be. The Master has assumed that these men were nothing but trustees; that the addition of title and the naming of them as a body corporate was nothing, meant nothing, accomplished nothing. I do not claim that it did accomplish anything more than to make plain who they were and what position they held and how she meant to have them regarded. But it does follow—these consequences did follow—that if those grantees were the officers of the Church, and also had the capacity under the statute to be a body corporate, that is, to possess the corporate power to hold real estate for the Church, they could enlarge their number without transgressing any provision of the Trust Deed or violating any principle of law. If that grant was made to the officers of the Church, the Christian Science Board of Directors, it was made to the officers whether their number be three or be fifty. As the Church saw fit to regulate its internal affairs, and limit or extend the number of its officers, the trust followed, vesting in those officers, and in that body corporate so far as it was entitled to enjoy the privileges which the statute extended to them. That has an immense bearing upon the situation that arises under the deed of 1898 and the effect of the action of these trustees. It also has a very important bearing upon the interpretation that this court will give to the 10th clause, which gives to somebody—gives to somebody—the power to control these trustees of the Publishing Society. It has been argued here that they were not under anybody's supervision with reference to the discharge of their responsibilities. Well, they need not be. It is not necessary to find in that deed a provision that they were under anybody's superintendence or supervision. The one provision in that deed that they could be removed by somebody is all that is needed.

RUGG, C. J. You may suspend your argument here, if you please.

[Adjourned to 3:30 o'clock a. m., Wednesday, December 1, 1926.]

MEXICO PLANS FOR AGRICULTURAL SCHOOL

Special to The Christian Science Monitor from its Southern News Office

EL PASO, Texas.—Romulo Escobar, president of the Escobar Brothers' Agricultural School of Juarez, and a federal Senator, is to resume work in the Department of Agriculture at Mexico City in the establishment of 16 agricultural schools throughout the Republic of Mexico.

It is the plan of the agricultural department, Mr. Escobar explains, to establish the 16 schools in localities where schools are needed most and for the benefit of the poorer classes of the republic. Three of the institutions will be established in the State of Chihuahua. The Escobar Brothers' Agricultural School will be designated as one of them, and students at this school will specialize in farm work, especially as in regard to irrigated lands, since much land in this territory is irrigated by the Rio Grande.

Another one of the schools will be in Guerrero, Chihuahua, where the growing of crops in that locality will receive special attention. Another will be in Allende, Chihuahua—a fruit-growing country. Students at the Allende School will specialize in the cultivation of fruit trees. Still another one of the institutions will be located in Torreon, in the cotton district. Students there will study chiefly methods of growing cotton.

The larger size of farms in 1850, it is stated, was due to slavery and the plantation system. The average size of the tenant farm in 1910 was 44.2 acres, inclusive of untitled land, indicating a distinct tendency toward the "one-horse" farm as the typical unit of South Carolina farming.

SOUTH CAROLINA FARMS SMALLER

Special to The Christian Science Monitor from its Southern News Office

COLUMBIA, South Carolina.—There has been a marked continuous decrease in the average size of farms in South Carolina every decade since 1850, according to The Weekly News of the University of South Carolina, in an analysis of a recent report of the United States Bureau of the Census, which gives the total number of farms in this state in 1920 as 192,664. In 1850 the average size of farms in this state was 541.2 acres; in 1860, 488.2; in 1870, 233.2 acres; in 1880, 143.4 acres; in 1890, 114.6 acres; in 1900, 90 acres, and in 1910, 76.6 acres.

GRAIN ATTITUDE OF ILLINOIS FARMERS

Special to The Christian Science Monitor from its Western News Office

CHICAGO, Illinois.—How are farmers feeling about the low prices of grain, and how much sentiment is there in favor of organized action to hold grain for higher prices? Each member of the executive committee of the Illinois Agricultural Association, which looks after the interests of more than 100,000 members, was asked to answer this question for his district at a recent executive meeting. The consensus of answers was to the effect that there is cause for just complaint by farmers, that they are being hard hit by prices that do not pay the cost of production, that there is some talk of organized action to hold grain for certain high prices, but that a majority regard such action as unwise.

As a result of the meeting, the Illinois Agricultural Association has advised its members to market their

grain according to their best judgment, and to stick together behind the Grain Marketing Committee of Seventeen, in building a program of marketing which the whole middle west can tie to and prevent such fluctuations in the future. They believe it would be fatal for a few communities or one state to attempt to hold grain without adequate machinery to carry out the plans. Letters from every state farm bureau secretary in the middle west showed no policy of holding grain, but a strong determination to organize in a manner that would insure economic justice in the future.

CANON MAY GET OFFICIAL STATUS

Montana Petitions Ask That "Gate of the Mountains" Be Made a National Monument

Special to The Christian Science Monitor from its Western News Office

HELENA, Montana.—Creation of another national monument in Montana is asked in petitions forwarded from here to the Secretary of the Interior and to both houses of Congress. The region sought to be set aside because of its scenic advantages is a 22-mile cañon cut by the Missouri River through the Big Belt mountains. It lies just east of the main range of the Rockies and is called "Gate of the Mountains," that name having been given to it by Lewis and Clark at the time of their exploration of the Louisiana Purchase.

The cañon resembles the Yosemite in the nature of its cliffs and the height of its rock formations. In the Yosemite, however, one rides up the cañon floor by automobile. In the "Gate of the Mountains" the trip must be made by boat because the river, almost half a mile wide, is bound in solidly by sheer rock walls towering in some places 3600 feet above the water. The rock is white limestone, which would be dazzling to the eyes were it not for the pine and fir trees which have gained precarious foothold in the rock and relieve with their green the whiteness of the canyon walls.

Stephen T. Mather, director of national parks and monuments, visited the proposed monument recently and is said to have given his approval to the plan of giving it official status. If the "Gate in the Mountains" is made a national monument it will give Montana two of 25 such monuments in the nation. The other is the Lewis and Clark cavern, one of the largest in the world but little known because of its inaccessibility. The state has also the Glacier national park and two of the entrances to the Yellowstone national park.

MEXICANS RETURNING TO THE HOMELAND

Special to The Christian Science Monitor from its Southern News Office

EL PASO, Texas.—Thousands of Mexicans who left their native country during revolutionary times have returned home since peace has been established. At the port of entry at El Paso alone, during the last few months, more than 8000 Mexicans have received papers permitting them to return to Mexico and have crossed the line. At the office of the internal revenue department they have to make a sworn statement of their earnings. Eight thousand of these Mexicans, most of whom were really exiles, earned money during 1919 aggregating \$8,000,000. Much of this money they are taking back with them to Mexico. Many of the men returning are laborers, clad in overalls, but in most of the overalls is concealed hundreds of dollars in Mexican gold. Almost without an exception they carry their earnings with them. The receipts from the internal revenue office show that in 1919, the year for which the sworn statements of their incomes were made, the amount each of the 8000 returning Mexicans made in wages in the United States varied from \$900 to \$3500.

Drainage in Holland

"Holland is at present engaged in reclaiming the Zuider Zee at a cost of about \$27,000,000. She expects thus to add a province to her domain and bring approximately 500,000 acres of new land under cultivation. Holland is already credited with having spent considerably over \$2,000,000,000 in reclaiming her low lands and building dykes to fence out the sea. This represents about \$400 per capita, and most of the debt incurred in connection with their drainage projects has already been liquidated. Our national wealth is many times that of Holland, and our indebtedness even at the conclusion of the world war is much less in proportion than that of any other nation. Presuming that it is probably a high estimate, we are still amply able to bond ourselves for almost any amount that may be necessary to carry out all drainage projects which may be essential to our national welfare."

RAILROAD TIES OF LODGEPOLE PINE

Special to The Christian Science Monitor from its Western News Office

HELENA, Montana.—The plan of the Oregon Short Line railroad to use Montana lodgepole pine for railroad ties is the beginning of a utilization of this wood which will eventually extend over the vast lodgepole areas of the northwest, according to officials of the forest service. The railroad will build a tie-treating plant somewhere on its line in southern Montana.

Heretofore lodgepole pine has not met with much favor, being considered less durable than most kinds of wood. Officials of the Oregon Short Line railroad, however, are said to have perfected a method of using preservatives which makes the wood serviceable for ties.

As its name suggests, the lodgepole pine is a slender tree. It sometimes grows to great height, but it never acquires a thickness sufficient to make it commercially useful for saw timber. There are enormous exhaustless areas of it on northwestern mountains.

## RECLAMATION BY DRAINAGE URGED

Georgia Educator Sees Opportunity to Add Greatly to Resources of the United States by Draining Swampy Lands

Special to The Christian Science Monitor from its Southern News Office

ATLANTA, Georgia.—That there are between 80,000,000 and 100,000,000 acres of land in the United States too wet for cultivation, subject to periodical overflow, or contained in swamps, and that the reclamation of this vast area is a project rivaling in its proportions the digging of the Panama Canal, were opinions expressed by Dr. Andrew M. Soule, president of the Georgia State College of Agriculture, speaking at the recent national drainage congress, held in this city, on "Our Agricultural and Industrial Progress as Affected by Drainage."

"The investigations made as to the extent and nature of the land needing drainage in the United States are at best but reconnaissance surveys," Dr. Soule declared. "In any event, we have an immense tract of land which should constitute one of our greatest natural resources. The reclamation of this vast area has properly been regarded as one of the greatest pieces of constructive work ever undertaken in the history of the world."

Fast Resources Available

"The problem of draining 80,000,000 acres of land is so great a task that it is difficult to properly appraise the size of the undertaking. Expressed in another way, we have at least 125,000 square miles of territory that needs drainage. There are but 120,000 square miles in Great Britain. There are less than 60,000 square miles in Georgia. Holland, far-famed for the nature and extent of her drainage works, contains but 12,585 square miles. Hence, we have in our undrained lands in the United States a vast new empire in suspense; a vast natural resource of limitless possibilities. When it is opened up and utilized as an asset, we will have added virgin soils of great productive power to our national resources which are fully capable of sustaining for an indefinite period a population of 50,000,000 to 60,000,000 people. This is not in any sense an exaggerated statement, but a cold and logical coordination of indisputable facts."

Example in China

"There is fortunately extant a living example of what drainage and irrigation have done in China. In the Province of Szechuan, known as the Beautiful, they are maintaining a population of 60,000,000 people on approximately 90,000 square miles of cultivated lands. It is true this state contains 181,000 square miles, but over half of it consists of rugged mountains, and is, therefore, of little value for agricultural purposes. The great drainage and irrigation projects in Szechuan were completed by Li Ping about 200 B. C. He had little beyond manual labor with which to accomplish this marvelous undertaking. The engineering skill displayed was of such a superb character that the original canals are in use today. If Li Ping could drain 90,000 square miles so successfully previous to 200 B. C., surely the task of draining 125,000 square miles should be easy of accomplishment to the energetic and highly trained people of the United States."

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THE NORTHERN SKY  
FOR DECEMBER

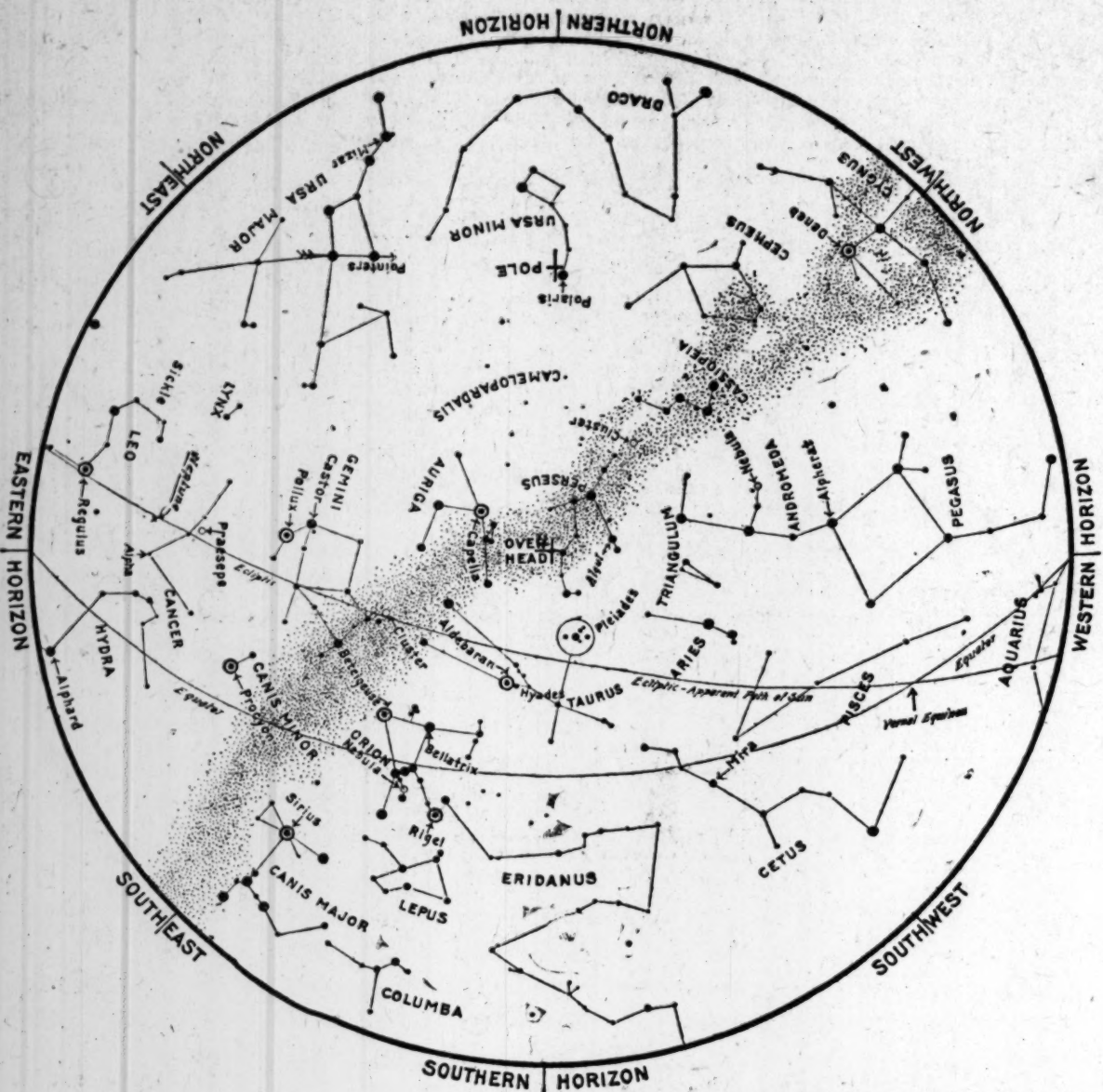
During last month the American Association of Variable Star Observers held their annual meeting at the Harvard College Observatory. Beginning only a few years ago, the organization now numbers 200 members, of which about 50 members report from month to month as to the brightness of the variable stars assigned for observation. By cooperation, a vast amount of material is accumulated, and to a large extent without undue duplication.

The observers are scattered far and wide from Switzerland to Argentina, from New England to California, and even Japan and India. A chain of observers insures an unbroken series of observations, for when cloudy at one place, the skies may be clear at another. There is an especial advantage in having the observers in different longitudes, distributed around the globe, for then it is possible to obtain a continuous record of a star throughout the period of each 24 hours. When an observer at Cambridge, Massachusetts is obliged to stop on account of dawn, observers in California can continue for three hours longer. By this time an observer farther west in longitude will have started work, and so the record may be made complete by such an astronomical relay around the globe.

The meeting of the variable star observers was large and enthusiastic. In an address before them, Dr. Donald B. MacMillan, the Arctic explorer, gave some points on polar astronomy. His description of the beauty of the sky, when the Pole Star is near the zenith and the clarity of the smokeless and dustless atmosphere makes the stars shine like diamonds, was a vivid picture of some of the joys of the long Arctic night. He told how, on a certain occasion, he and his party were saved by his knowledge of the constellations. The Great Square of Pegasus was as a pillar of fire by night to lead them to the firm mainland, into security. The Eskimos in the locality are accustomed to use Arcturus as a timepiece. They also have traditions of the rotundity of the earth, and of a mighty flood long ago. Pointing out the constellation of the Great Bear to an old Eskimo woman, he was told that they called these stars the Seven Reindeer feeding on the field of heaven. To her the bright stars in Orion's Belt were steps cut in the face of the big glacier forming the wall of heaven. Castor and Pollux were the twin points or markers which are placed at the entrance of the heavenly igloo, while the Pleiades were a pack of dogs just cut loose from the sledge as a bear is sighted. It may be remarked that as a place for obtaining continuous observations of variables in the winter months, the polar regions with their long, long nights, are unrivaled.

As the outfit necessary for any intelligent person to begin the observation of variable stars is very simple, the field appeals to many amateurs who would like direction and purpose in their work. As a result of the association's endeavors, a large amount of material is being gathered, which will help to solve the questions connected with the stars whose light varies.

The accompanying map shows the constellations as they may be seen this month at the times given in the caption. The Square of Pegasus is now in the west, pendant to Andromeda, whose lower star, Alpheratz, forms a part of the Square. A keen eye readily detects in Andromeda the hazy patch which is the Great Nebula. The Northern Cross in Cygnus earlier in the evening stands upright in the northwest, as if emblematic of the Christmas season. From Cygnus to Canis Major, from Deneb to Sirius, the Milky Way shows its beautiful tracery, almost like frostwork on the sky. Near the zenith it involves Perseus, rich in stars, and containing that remarkable variable star, Algol, which loses two-thirds of its light at intervals of about 69 hours. The period during which it loses and regains its luminosity, occupies about nine hours. Good opportunities for noting this loss of light will occur during some part of the evenings of December 6, 9, 12, and 29. South of the zenith the Pleiades shine with a misty light. A powerful telescope shows that they are enmeshed in nebulous matter, which must be related in some way with the structure of the individual stars. Perhaps best of all is the Giant Orion bending his bow at the Bull. The Belt of Orion is a very well-known configuration. Beneath the Belt is the Great Nebula in Orion. Lepus, the Hare, is also a well-marked figure, although like most of the constellations bears little resemblance to its name. No one can fail to look at Sirius and Procyon, which with Betelgeuse form an equilateral triangle. In the east the Twins are now high above the horizon, with Castor and Pollux, the sailor's friends through many ages. Then Cancer, of little character, leads Leo and Hydra into view. Note how near Arc-



The December evening sky for the Northern Hemisphere

The map is plotted for about the latitude of New York City, but will answer for localities much farther north or south. When held face downward, directly overhead, with the "Southern Horizon" toward the south, it shows the constellations as they will appear on December 6 at 11 p. m., December 21 at 10 p. m., January 6 at 9 a. m., and January 21 at 8 p. m. in local mean time. The boundary represents the horizon, the center the zenith. For convenient use, hold the map with the part of the boundary down corresponding to the direction one faces. The lower portion of the map thus held shows the stars in that part of the sky according to their relative heights above the horizon. The names of planets are underscored on the map.

turus is to the ecliptic. If we study the path of the ecliptic in the sky, we shall know where to look for the planets. Unfortunately, the planets at present come either early or late.

The planet Venus is an evening star, visible in the southwestern sky just after sunset. It is now the brightest object to be seen among the stellar host. Mars is continuing as an evening star. Its motion is such that its time of setting will vary not more than two minutes by the clock during the month. Although setting about four hours after the sun it is so low and faint that it can be observed only at a disadvantage. Jupiter and Saturn rise about midnight. Mercury is a morning star and is best seen early in the month. The other planets are subjects unsuited for naked-eye observation.

In the systematic search conducted at the Harvard College Observatory, another new star in Sagittarius has been discovered. It was found by comparing a recent photograph with one made in 1914, the Nova appearing on the earlier plate. At the brightest it was not visible to the naked eye and could be detected only by photography. Had the systematic search been in progress in 1914, it would have probably been discovered at that time.

On December 22 the sun reaches the winter solstice, the southernmost point of its apparent path. Although after that date it travels northward, the almanac says "Winter begins."

**TOURISTS' HOTEL PLANNED**  
Special to The Christian Science Monitor from its Pacific Coast News Office  
PORTLAND, Oregon—Simon Benson, chairman of the Oregon State Highway Commission, has recently purchased a site near Hood river on which will be erected a tourists' hotel. Since the opening of the highway through Hood River this past season and the completion of the roads to Mosier, Idaho, this coming summer, the necessity for such hotels has become apparent.

SOLDIER-SETTLERS  
PAYING THEIR WAY

Special to The Christian Science Monitor from its Canadian News Office

OTTAWA, Ontario — That the vast majority of soldier-settlers assisted under the Canadian Soldier Land Settlement Scheme will justify the assistance given, is indicated from the reports of the department in connection with first-period payments. Generally speaking, those who have turned their swords into plowshares, are meeting their payments for help received promptly, and the large number of soldier-settlers who are repaying in full their stock and equipment loans (which run for six years) and their land loans (which run for 25 years) constitutes a highly satisfactory feature of reports received. The total amount received by the board on first payment of such loans is over \$1,000,000.

As evidence of the fact that there is but little default it is stated that out of a total of \$227,675, due in Ontario in interest and principal on November 1, a total of \$220,772 has been paid to the board. As many as 70 per cent of the 1142 soldier-farmers in that Province whose payments were due, promptly met their obligations amounting to \$125,045, and the balance was made up by 85 settlers who paid off their entire loans, or a considerable portion of them in advance. Interim reports from other provinces indicate that an equally satisfactory condition exists among the settlers all over the Dominion, though payments may be delayed in the west owing to the fact that all grain has not yet been marketed. Board officials express strong satisfaction with results following the first due period.

**POLICE FORCE MAY BE REDUCED**  
Special to The Christian Science Monitor  
ATLANTIC CITY, New Jersey—That the local police force could be safely

decreased with a consequent saving to the community is the opinion expressed by the chief of police in view of the 50 per cent reduction in the number of arrests here. The cases of intoxication and quarrels traceable to liquor have diminished to such an extent fewer policemen are necessary to maintain the efficiency of the force. Arrests one year ago totaled 4200 while the figure is less than 2000 for 11 months of 1920.

**PILGRIM BAZAAR**  
Special to The Christian Science Monitor from its Eastern News Office  
NEW YORK, New York—The Daughters of the Imperial Order of the British Empire, voting American women organized to bring about a closer understanding and friendship between the children and peoples of the United States and Great Britain, is holding a costume "Pilgrims Progress Bazaar," at the Hotel Pennsylvania today, to celebrate the tercentenary of the landing of the Pilgrims. Funds are to be devoted to the care of women in the Victoria Home at West New Brighton, Staten Island.

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ACCOMPLISHMENTS  
IN SANTO DOMINGO

Work of United States Administration Said to Have Been Important, But Meager Compared With That in Cuba

A previous article based on an interview with Mr. Schoenrich on Santo Domingo appeared in The Christian Science Monitor of November 30.

NEW YORK, New York—The accomplishments of the United States military government of Santo Domingo during the last four years, though of great importance, have been meager in comparison with the reforms effected in Cuba during the first American intervention, and have been accompanied by complete suppression of popular liberties under drastic censorship and oppressive action of arbitrary military courts, according to Otto Schoenrich, continuing his statement on the United States policy of the Caribbean.

The military government had built many miles of much-needed roads, but the Dominicans complained that much money had been wasted and that completed roads were neglected. Some minor public works improvements also had been made.

In financial matters the government had utilized the services of a competent civilian, the former Assistant Receiver-General. Through a claims commission, most of the claims against the Dominican Government had been settled, being paid by a bond issue. New tax and revenue laws had been enacted. The Dominicans complained that the budgets had been excessive.

**National Guard Established**  
A national guard had replaced the Dominican Army and police force. In Cuba nearly all the officers of the new police forces were natives. In Santo Domingo practically all had been officers, former officers or privates of the marines.

The marine officer in charge of education had done much to further education, including new school laws prepared by a board of Dominicans. Mr. Schoenrich thought the improvement would be still more marked if trained educators had been on the board.

A new postal organization had been

effected, new sanitary regulations issued, a considerable study made of chaotic land title conditions with a view to introducing the Torrens system, and attention given to agriculture promotion.

"These accomplishments," says Mr. Schoenrich, "are all of great importance; yet when we compare them with the far-reaching reforms effected in Cuba during the first intervention, which lasted about the same length of time, or in Porto Rico during the first four years of American rule, or even during the shorter second intervention in Cuba, they appear meager. The improvements have not been so varied, nor so thorough, nor so excellent as those in Cuba and Porto Rico.

## Passive Resistance

"The work in Cuba and Porto Rico is all the more remarkable because of the small amount of friction, the measure in which the cooperation of the people was obtained, and the fact that full civil liberties were enjoyed by the natives. In Santo Domingo, on the other hand, the people have opposed the American occupation from the first. President Francisco Henriquez y Carvajal and his Cabinet refused to accede to the adoption of a new treaty with the United States, similar to the one between the United States and Haiti, involving collection of customs under American auspices, appointment of an American financial adviser, and establishment of a constabulary force officered by Americans.

"Henriquez and his Cabinet pointed out that the proposed arrangement would make the Dominican Government a puppet controlled by all-powerful and not sufficiently responsible American officials. The American officers exerted pressure by declining to pay over any of the Republic's revenues, and as they controlled practically all, the Henriquez Government was left penniless. As a result no salaries were paid, most government services were discontinued, and the whole government machinery was paralyzed. The entire country rallied about President Henriquez, officers performed their duties as far as possible without pay, and the resistance to the American demands, though passive, was general.

## Congress Suspended

"On November 29, 1916, the commander of the American cruiser force in Dominican waters declared the Republic under the temporary military administration of the United States. The navy and marine officers still retain control. A rear admiral is military governor, exercising full executive and legislative functions,

the Dominican Congress being suspended and the Cabinet being filled by navy and marine officers. The American Minister's duties there are nominal.

"But I believe that most of the Dominicans were glad that the deadlock was broken four years ago this month, because they were thinking of the good that had come to Cuba and Porto Rico. They did not anticipate the complete suppression of their popular liberties under drastic censorship and arbitrary military courts. The three great defects which, they see now, have neutralized the good works of the military government, have been the character of that government, the provost courts, and the censorship."

SIR ARTHUR CURRIE  
SPEAKS FOR UNITY

Special to The Christian Science Monitor  
BOSTON, Massachusetts—Community of language, literature, political ideals and duty to the world must serve to assure the future unity of Great Britain and the United States, declared Gen. Sir Arthur Currie, president of McGill University, speaking at the annual banquet of the Canadian Club of Boston. The need is particularly urgent today, he declared, because of the propaganda which is being carried on to overthrow existing governments and put in power a party more despotic than that of Tzardom and Kaiserism.

"It must be the duty of every citizen of these two great nations," the speaker asserted, "to discourage every offensive thought, to silence every irritating word, to sow the seeds of international unity and concord, to bind together in hoops of steel the Anglo-Saxon peoples for the immense tasks that confront us."

## AID FOR RAILROADS

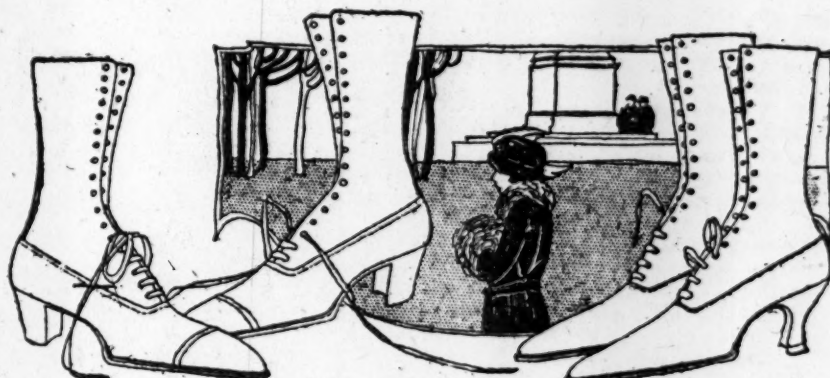
BOSTON, Massachusetts—Pledges of support for the New England railroads in their endeavor to obtain a more favorable division of through freight rates were made by representatives of commercial, agricultural and industrial interests after a conference at which the causes of the financial difficulties of the roads were explained.

## CITY GETS A MILLION

Special to The Christian Science Monitor  
PONTIAC, Illinois—By the will of Mrs. Harriet B. Humiston of Pontiac, practically her entire estate, valued at \$1,000,000, is left to the city for charitable and educational purposes.

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## LAW ENFORCEMENT CALLED ESSENTIAL

Danger of Allowing Lawbreakers to Hide Behind Indifference of Public Is Shown by Judge of a United States Court

Special to The Christian Science Monitor from its Southern News Office

SAVANNAH, Georgia.—In deploring that form of law violation where the lawbreaker hides behind the indifference, if not the toleration of the public, the grave danger of a slant in the moral vision of a community with regard to law enforcement has been strongly pointed out by Judge Beverly D. Evans, of the United States District Court, Southern Division, in a forceful charge to the United States grand jury of this city. The statements set forth by Judge Evans in his charge are of much interest at this time because of the fact that Savannah is considered to be, by many, one of the "wettest spots" in the State of Georgia, if not in the United States, at the present time. Bootleggers, it is alleged, have made this city one of their most profitable centers in distributing illicit liquor throughout the entire southeastern section of the country.

"Every citizen should discharge his obligation to his government and his fellow men, in giving full support to the laws of his country," Judge Evans declared. "This government of ours is built on the foundation that law is supreme; that the law measures our civil rights, and protects against the encroachments of the lawbreaker. When this fundamental truth pervades a community, respect for law becomes so dominant that the community ideal becomes a great factor in law enforcement. But where a community tolerates, if it does not approve, certain forms of transgression, a spirit of lawlessness is engendered, and unless checked that community will sooner or later become infested with crime."

### Law Must Be Respected

"I am striving to impress through the medium of my charges to grand juries the great importance of inculcating a sentiment of respect for law and law enforcement. If the body politic be thoroughly imbued with the conception that the strength of our government and the tranquility of its people are dependent on obedience to law, we will have a bulwark against anarchy and the employment of force to effectuate any particular change or result."

"Sometimes acute situations are developed in industrial conflicts. So long as the parties to these conflicts have respect for law and the rights of others, there will be an absence of disorder. But when the acuteness of the conflict destroys respect for law, human life and property become imperiled."

"There is a form of law violation where the lawbreaker hides behind the indifference, if not the toleration of the public. An instance will be found in the sale and manufacture of intoxicating liquor. Some members of the public, not violators themselves, may be heard in expression to their disapproval of the law. Others take the position that it is of no concern to them that whisky is sold. This class moves in a different social zone from bootleggers, and thinks that the whole matter should be left to the officers of the law—either national, state or municipal. Then there is another class, who resent the imputation that they would sell liquor, yet have no compunctions of conscience or propriety in buying whisky from one who violates the law to sell it to them. In this confusion of viewpoint, there is grave danger of a slant in the moral vision of a community with regard to law enforcement. At

least, the bootlegger is encouraged to feel that he can find sympathy in certain quarters, and apathy in other directions. But when there is aroused a militant spirit to uphold the law, the business will be outlawed, and those engaged in it will be looked on as criminals."

### Two Classes of Citizens

"In one of our great weekly papers there recently appeared an editorial on the subject of 'Laws and Criminals.' I wish to read to you some extracts from this editorial, and I feel sure the sentiment will receive your commendation: 'It is an accepted truth that one may do only those things the law permits him to do and still be a scoundrel. And yet we concede that one who is otherwise decent and obeys the laws is a good citizen. There are two classes of citizens: Those who obey the laws, and those who do not. Thousands of lawbreakers think themselves good citizens. When they violate a law, that would interfere with their pleasure or profit, they say: 'I don't believe in that law. It is an invasion of our constitutional rights.' The excuse would serve as well in the case of one who cracks a safe. Law is law. The anarchist frankly opposes all law. The professional criminal frankly scorns all law. Only some of our respectable citizens obey the laws that please their fancy, and evade the laws that were framed without their permission. A criminal act is always preceded by a criminal thought. One who would commit may be deterred by circumstance, but he is no less a criminal. The willingness to violate law is the root of crime. Of late there has been much scolding concerning aliens who do not respect American institutions. State and federal laws are the root and branch, the warp and woof of American institutions. These aliens, whose poor minds cannot grasp the significance of America, are a nuisance, but do they show less respect for law than is shown by many American citizens?'"

### Efficiency of Courts

"It matters not how diligent a community may be in law enforcement, the success of their efforts depends on the efficiency of the courts. Under our system of jurisprudence, evidence is to be passed upon by a jury. Jury revisers are selected and charged with the duty of making jury lists of the names of the most intelligent and upright citizens in their respective jurisdictions. The personnel of the jury is supposed to possess those qualities of intelligence and honesty which will enable them to calmly weigh evidence, and penetrate any camouflage which may tend to confuse; and to find the truth and express it in their verdict. The function of a jury in the administration of justice is an important one. When offenders against the penal laws discover that sham defenses will not prevail, but that if the evidence requires a verdict of guilty, such a verdict will be rendered, they will have greater respect for law and law enforcement."

## MEXICAN SURVEY TO INFORM NATIONS

Special to The Christian Science Monitor from its Southern News Office

EL PASO, Texas.—As a means of enlightening the world to the last detail about their country, its history, its resources and its prospects, officials of Mexico are to make a thorough survey of the republic and compile the data obtained in a compendium to be placed in the principal libraries of North America and Europe. This information is set forth in dispatches from Mexico City which assure chambers of commerce, Mexican and American, that such a book will soon be established and, it is believed, will go a long way to help get the people of two continents better acquainted with Mexico.

## SEPARATE TRACT FOR THE NEGROES

Efforts by Members of the Race to Obtain From the Government a Territorial Division Which They May Govern

Special to The Christian Science Monitor from its Southern News Office

NEW ORLEANS, Louisiana.—An interesting movement for the solution of the "Negro problem" by the Negroes themselves has been set on foot in Alabama, Mississippi, Louisiana and East Texas, which, while it may never achieve its objective, nevertheless is of great interest as showing the trend of thought among the Negroes regarding themselves. The movement is an effort to obtain from the United States Government a territorial division in which the Negroes may settle; where they may have the vote under the same conditions as whites now enjoy the franchise in the south, and from which they may have representation, on the same basis as the territories, in the houses of Congress.

W. H. Harrison, an Alabama Negro, whose parents were slaves, but who has raised himself to a position of leadership among the Alabama and Mississippi Negroes, is devoting all his time to the movement, and is in New Orleans to talk to several meetings of his race here. He said:

"The idea of a territorial division to be colonized by Negroes is not new, but it has not been generally put before the Negroes of the south prior to this time. It is common knowledge that the Negro as a large unit of population which is essentially foreign to the white people of the country, and which never can be absorbed by the white people, does not get either business justice, or voting equality in the states where he forms a large part of the population."

### Free Use of Ballot Desired

"The people of the United States absorb all the other white peoples of the world, and even the so-called 'red' races, but they never will absorb the black or the yellow. We neither want nor expect social equality; but we believe, since we are not responsible for our presence as outlanders in the midst of a white nation, that we should have a 'square deal' in business; an opportunity for commercial and financial advancement, and the free use of the ballot, under the limitations provided by the Constitution."

"Obviously, we cannot expect to en-

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ter politics on an even basis with the white people; yet all the Negroes cannot be persuaded—as Booker T. Washington tried to persuade them—to stay out of politics. If the Negroes could be persuaded to vote without running for office, I believe the south would give the Negro the vote immediately. On the other hand, I can see that, with many of my race anxious to 'run' for office, it would create serious trouble to give us the vote in states now inhabited by white people. I am one of the few Negroes who really believe that it is better to prevent the Negro from voting at all than to run the risk of electing him to office over white people."

"I also believe, however, that there is a remedy for this condition, a remedy which would automatically remove from the south the 'Negro problem,' which I am quite ready to admit, is by far the most serious question in this part of the United States. The plan which I am advocating, and on which I have spoken to more than 500,000 of my race at meetings during the past year in the south, is that of a separate territory, without promise of statehood, in the southern part of the United States, where climate, soil, labor and production are of the nature to which the

Negro is accustomed, and amid which he develops best."

### Territory Open to All Negroes

"This territory could be opened to all Negroes in the United States, with the condition that there they should have the electoral franchise under the Constitution, but that they could not have it elsewhere in the United States; that there they could elect their own officers, under a governor, to be a Negro, named by the President of the United States, as territorial governors are now named; and that they should have representation in both houses of the federal Congress, just as the other territories are now represented there."

"The franchise provision above noted would immediately attract, I believe, virtually all the Negroes in the United States to such a territory. I believe the intelligent, thinking Negroes, who now live amicably with the whites, could dominate such a territory, and, aided perhaps for the first few years by white state police, and the advice of the Washington government, could maintain territorial government properly. Whites need not be excluded from this territory, but they should not be encouraged, and the predominance of Negro voters, doubtless,

would keep all but a very few out. Possibly this is merely a dream, but out of it may grow the solution of the problem which is so serious to thoughtful whites and Negroes in the south."

### NEW SCHOOL OF JOURNALISM

Special to The Christian Science Monitor from its Western News Office

CHICAGO, Illinois.—Plans for the establishment within a few months of a school of journalism for beginners as well as those already in the profession have been announced by Walter Dill Scott, president of Northwestern University. It will have the plants of the large Chicago daily newspapers available as laboratories. The Joseph Medill School of Journalism is to be its name, and the Chicago Tribune, of which Mr. Medill was editor for many years, will back it financially. Afternoon and evening classes will be established in Northwestern University Building downtown, for the convenience of newspaper workers in Chicago who desire to take the courses before or after the day's labor. At Evanston, the school of journalism will be set up for beginners in journalism who contemplate a newspaper career.

## GOVERNMENT CLAIMS OIL RESERVE LANDS

Special to The Christian Science Monitor from its Western News Office

SALT LAKE CITY, Utah.—Oil lands on the San Rafael swell, in Emery county, are covered by a government naval oil reserve established about 1912. The lands were not surveyed until years after that date, and part of them have not been surveyed even yet. Based on these facts, the United States Government is setting up claim to all the lands within the boundaries of the proposed naval reserve, on the ground that they are known to contain oil in commercial quantities, and were so known before the survey.

Opposing the claim in the state of Utah, which was the recipient under its enabling act of Sections 2, 16, 32 and 36 in each township in the state, from which must be excepted, according to Supreme Court decisions, lands known to be mineral at the time the State's right would otherwise attach. In new territory the State's title attaches at the time the United States survey is filed.



## Luxurious coats of hudson seal fur —late models of decided distinction

Sumptuous quality and assured vogue are attributes of these superb coats of Hudson seal fur which make them supremely desirable. Coats of regal beauty, fashioned of carefully selected peltries by expert furriers. The Mandel label their cachet of reliability.



### Ultra modish 36-inch coats

- 36-in. Hudson seal coats with self collar and cuffs, \$445.
- 36-in. Hudson seal coats with skunk collar and cuffs, \$485.
- 36-in. Hudson seal coats with beaver collar and cuffs, \$475.

### 36-inch coats, Australian opossum collar and cuffs, \$575

- 36-in. coats with natural squirrel collar and cuffs, \$550.
- 36-in. coats with natural liberty fitch collar and cuffs, \$650.
- 36-in. coats with natural mink collar and cuffs, \$600
- 36-in. coats with Nippon sable collar and cuffs, \$650

Buying the furs when the market was most favorable; making up the garments with unhurried care, we effected economies which are reflected in the unusual values represented in these coats.

## Holiday ribbons—Dec. sale begins Monday

Ribbons for bags—sashes—hair bows—streamers—trimmings—holiday packages—are here and now offered so comprehensively—so reasonably—as to provide Madame and Mademoiselle Chicago ample reason for anticipating immediately all their holiday requirements.

### 10-inch tinsel brocaded dresden ribbon, at 4.95 yard

Bright and subdued colorings, on black satin grounds; for sashes, girdles, and fancy bags. Celluloid bag mountings, \$1 each  
5 1/4-inch hair bow taffeta, 48c yd. Novelty striped ribbon in 4 3/4-inch brocaded hair bow ribbon—white, pink, blue, 38c yd.  
light and dark combinations and exceptional quality. 7 1/4-inch, sash width to match the above, at 95c yd.

Bows and sashes tied free of charge

Hair bows in light and dark colors, packed in holiday box with gift card, 75c each

Ribbon garters with pretty rosebud novelties, in holly box, \$1.95 pair. Ribbon boutonnieres, pretty color combinations, 65c each.

**Foster Shoes**  
for Women and Children

There is a distinctive Foster Shoe for every occasion



for the theatre

The Foster Evening Slipper

**F. E. FOSTER & COMPANY**  
115 NORTH WABASH AVENUE  
CHICAGO

**CHICAGO**  
**Walk-Over Shoe Stores**  
Men's and Women's Walk-Over Shoes  
131 S. STATE STREET  
Men's Shoes Exclusively  
HAMILTON CLUB BLDG., 14 S. DEARBORN ST.  
Women's Shoes Exclusively  
4700 SHERIDAN ROAD

**LOREN MILLER & CO.**  
4722-28 Broadway—Near Lawrence—Chicago

### Ideal Holiday Gifts

Pleasing Assortments to select from for every member of the family and friends.

Let us assist you in selecting the proper Gift. Ask For Our Book of

"Holiday Gift Suggestions"

WE realize that it has become not a question of whether merchandise sells at a profit or at a loss—the profit of the individual is of small moment where the welfare of the multitude is involved. The clearing of shelves has become a public duty—shall I say a patriotic duty?—so that future purchasing may be done, to the end that the industries of America may not become stagnant.

In order to move our stocks at once, in line with this idea, we are making drastic reductions. No man need wait any longer to make his purchases in clothing, or in other lines of men's wear. This is the "break" so many have held off for.

**Capper & Tapper**  
LONDON  
CHICAGO  
ST. PAUL  
DETROIT  
MILWAUKEE  
MINNEAPOLIS

Two Chicago Stores: Michigan Avenue at Monroe Street. Hotel Sherman. Clothing Is Sold at the Michigan Avenue Store Only.

"America's Finer Men's Wear Stores"



## WHY HARD COAL PRICES ARE HIGH

### New York Committee Gives Reasons and Recommends Enforceable Contracts for Deliveries, and Reserve Storage Yards

Special to The Christian Science Monitor from its Eastern News Office

NEW YORK, New York—Inadequate supply of anthracite coal is caused by labor troubles, labor inefficiency, disordered railroad connections, outlaw railroad strikes, the demand for export, the demand from former users of bituminous and natural gas and priority orders, according to the Joint Committee on Coal for New York City, composed of the Real Estate Board, the Building Managers and Owners Association, the advisory council of health, the committee finds high anthracite prices are caused by greater difficulty in mining, cost and inefficiency of labor, inexcusable strikes, vacations and holidays, faulty administration of car service, excessive royalties paid owners of coal lands, purchase of coal at mines by speculators and middlemen who sell a car over and over again before it reaches the consumer, profiteering by retail dealers and excessive cost of delivery from the yard to the consumer.

The committee recommends "that definite and enforceable contracts be made with the mines direct or with duly authorized distributing agents by local distributors for weekly deliveries beginning April 1 each year; that steps be taken at once for establishment of reserve storage yards sufficient to contain at least one month's supply; that state legislation be enacted for incorporation of labor unions and trade organizations, and that strikes or lockouts, unless by a majority vote of the organizations, either labor unions or business, and taken by secret ballot under the supervision of local election officials, be declared felonies; that before such ballot be taken, two weeks' proper legal notice be given; that by mutual agreement zones of delivery be fixed by local distributors to preclude long delivery routes; that during a coal emergency, priority orders be issued by the Interstate Commerce Commission for coal shipments to great centers of population; that the Anthracite Producers Association be requested to direct its members to sell coal only to regularly established dealers or distributors."

### Anthracite Fuel Industry

#### Senate Committee to Open an Investigation on Saturday

Special to The Christian Science Monitor from its Eastern News Office

NEW YORK, New York—The United States Senate committee on reconstruction will open an investigation into the anthracite fuel industry on Saturday. The meeting will be attended by a number of New England governors who have been invited by Senator William M. Calder, chairman of the committee, to sit with the committee during the hearing. Among those who will appear and testify will be mine operators and a number of retailers, wholesalers and jobbers in anthracite coal. Mr. Jett Lauck, economic adviser for the anthracite coal miners, will represent the mine workers at the meeting, which has been called at the request of the fuel administration of New England. In their letters to the committee the administrators complained that anthracite coal was being sold at prices ranging from \$18 to \$24 per ton throughout New England.

## FINANCIAL ADVISER TO CUBA IS NAMED

### Former Assistant to United States Treasury Agreed Upon to Help Government

Special to The Christian Science Monitor from its Washington News Office

WASHINGTON, District of Columbia—Albert Rathbone, former Assistant Secretary of the Treasury, it was indicated on Monday, has been agreed upon as financial adviser to the Cuban Government in the trouble growing out of the declaration of a moratorium. Mr. Rathbone, it is said, is agreeable to the President of Cuba and has the endorsement of American financiers whom the State Department have encouraged in their efforts to provide relief for the Cuban financial situation.

The condition of the Cuban banks, it is stated, is much worse than has hitherto been made public. Many of the largest financial institutions in Cuba found themselves destitute of money, squeezed dry in fact when the slump in the sugar market caught them with larger amounts of paper secured by sugar which had suffered a heavy decline in price. There is little doubt that the banks failed to observe most elementary precautions. Sugar was accepted as collateral at a peak price and without due regard to the heavy decline which was inevitable the moment free operation. The financial remedies already suggested include:

1. Extension of the moratorium, now in operation, until the Cuban Congress can pass legislation appropriate to the difficulties of the financial situation.

2. Establishment of a clearing house and issuance of clearing-house certificates.

The moratorium, promulgated in October, has been extended to December 31. It was a sweeping order, allowing a withdrawal from banks of only 10 per cent of the total of the checking accounts of depositors, in addition to embracing measures that completely upset normal transactions.

The State Department has lent its good offices to the Cuban Government in an effort to assist in solving the difficulty and it is understood that it approves of the selection of Mr. Rathbone for the office of financial advisor to Cuba.

It is considered likely that the moratorium now extended will need in addition an American loan to save the Cuban banks. The loan is expected to be forthcoming when the Cuban Government approves of the terms to be prescribed by the American banks, the nature of which is known to the Cuban authorities, who have advised certain amendments and modifications, which are now before the American financiers for consideration.

## PIECEWORK IN CLOTHES MAKING

### Manufacturers' President Favors the System, While Leader of the Workers' Organization Objects to Its Extension

Special to The Christian Science Monitor from its Eastern News Office

NEW YORK, New York—William Bandler, president of the Clothing Manufacturers Association of New York, said, following a meeting of the market committee yesterday, that the position of the association had been misstated, that there was at present no question of unionism nor of the open or closed shop in the negotiations for a new agreement now going on between the manufacturers and the Amalgamated Clothing Workers of America.

"The clothing manufacturers of this city must have working conditions under which they can operate their factories in competition with other clothing markets and under which they can produce clothing at prices which the public can and will pay," said Mr. Bandler. "This can be done only by a readjustment of working conditions and by the installation of a pieceworking system, thus placing on workers the responsibility for production commensurate with the wages that they are paid."

Sidney Hillman, president of the Amalgamated, said that both weekwork and piecework existed in the industry, but that the organization objected to any increase of the piecework system, as it was believed that it tended toward bringing back sweatshops.

"Complaints about production can be adjusted," said Mr. Hillman. "The organization assumes responsibility for that and for seeing individual workers. None of the demands made by the employers will meet the situation, in my opinion, but would rather bring about demoralization. The market is still 80 per cent a contract market; that is, there are few large inside shops, most manufacturers sending their work out to small shops. The organization is making no demands, but will cooperate in any remedy that can be found for existing evils. But, if the manufacturers should declare a lockout, then the only thing that it could do would be to fight."

Dr. Albert Rumely, president of the United States Jurymen's Association, which is trying Dr. Edward I. Rumely, S. Walter Kaufmann and Norman R. Lindheim on the charge of conspiring to conceal the alleged German ownership of the New York Evening Mail during the war.

According to this testimony, Dr. Rumely proposed an exclusive wireless news service for transmission to the United States of news about Germany, by use of the two wireless stations in this country, controlled by Germany. Dr. Albert says he told Dr. Rumely that these stations were used solely for German Government official business. Dr. Albert describes the alleged attempt to obtain such news service as purely a financial venture on Dr. Rumely's part.

## COUNTY IN STATE OF INSURRECTION

WILLIAMSTON, West Virginia—proclamation by Gov. John J. Conwell declaring Mingo County in a state of insurrection was posted in many places yesterday. Meanwhile federal troops were dispatched to mining villages where strike conditions were considered acute. The proclamation declares that there are in the County of Mingo certain individuals who are resisting the laws of the State and of the United States and are offering violence to the peaceable citizens and property in said county, and that the civil authorities are unable to cope with the situation.

## NO REDUCTION IN PAY

Special to The Christian Science Monitor from its Boston News Office

BOSTON, Massachusetts—That the New England Telephone & Telegraph Company has notified a large number of its union employees that there will be no reduction in pay or in working forces was announced in a report to the meeting of the International Brotherhood of Telephone Workers. The report was the result of a conference between union men and company executives, at which the latter were said to have suggested that, although no reductions are intended, it might be an opportune time to change present agreements.

## MR. HOAN DEFENDS SOCIALISTS

MILWAUKEE, Wisconsin—Mayor D. W. Hoan of Milwaukee, in a letter sent yesterday to the officials of the National Security League, charged them with improper use of the mails and threatened to inform federal authorities. His letter, addressed to Charles D. Orth, president of the league, was in response to one from the league requesting his cooperation. The Mayor said the league's letter stated that many Socialists countenanced advocacy of force and violence. He denied this and challenged the league to cite a single instance of the Socialist Party holding or promoting such views.

Every Kind of a Gift for Wee Folks to Be Found in the Baby Shop

In this interesting shop for little tots are all of comfy garments and requirements that will keep baby snug and warm—many dainty embroidered frocks, cunning bonnets and little accessories—in delightful arrays for the gift seeker.

We especially suggest—

Japanese Silk Afghans, \$3.95

Brushed Wool Sweater Sets, \$9.95

All-wool Sweater Sets, \$5.95

Sleeping Garments for Children

Nightgowns of splendid quality flannel, \$1.95

Nightdresses, with feet, of good quality flannel, \$1.95

Baby Shop—Third Floor.

ST. LOUIS, MO.

Jewelry at Jaccard's

Depicts the Medes of the Hour in Exquisite Jewels

Truly unusual and thoroughly pleasing is our exhibition of beautiful jewels. We have made every possible endeavor to adequately meet the holiday demands. The result is a typical realm of beauty throughout the House of Jaccard's.

Jaccard's

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## POWER TO RAISE RATES QUESTIONED

### Montana Appeal by Railroads Brings Out Evidence at Hearing on Interstate Schedules

Special to The Christian Science Monitor from its Western News Office

HELENA, Montana—Power of the Interstate Commerce Commission to increase railroad passenger rates to an amount in excess of Montana's statutory limit of 3 cents per mile was brought into question by the Montana Railroad Commission at a hearing conducted here recently by G. H. Mattingly for the Interstate Commerce Commission.

The hearing was called to take testimony on the appeal of the railroads from the refusal of the Montana Railroad Commission to grant rates for intrastate travel that would be in conformity with the schedules fixed for interstate travel by the national rate-making body in a recent decision. The Montana commission has granted a freight increase meeting the interstate rate, but denied increases on passenger fares, Pullman fares and baggage rates.

E. G. Toomey, attorney for the Montana commission, sharply criticized the railroads for failure to seek relief in the state courts after being informed that the refusal to consider the increase was based upon the state law fixing 3 cents as the maximum amount that could be charged. "They went to a national administrative body with a legal controversy—a judicial problem," he said. "If we have the power to establish reasonable passenger rates in excess of three cents per mile, then our courts would have commanded the Montana board to entertain the carriers' application, and we must have

disposed of it on its merits," Mr. Toomey continued.

The carriers contend that the state's 3 cent law is nullified by the national railroad commission statutes, because they say federal laws take precedence when in conflict with state laws.

Railroad attorneys introduced witnesses to prove that the Montana rates were discriminatory in comparison with interstate rates, and Montana shippers introduced witnesses to prove that the present rates in the state are just and fair.

## SEPTEMBER ZINC EXPORTS DECLINE

### Shipments From the United States for First Nine Months of 1920 Show Gain, However

WASHINGTON, District of Columbia—Zinc exports from the United States during the month of September showed a great falling off from the previous months of this year. Exports for the month totaled 3,195,855 pounds valued at \$289,918. Of this amount 1,000,000 pounds went to France and 786,979 to the United Kingdom. In September, 1919, exports amounted to 20,521,000 pounds.

Due to the heavy volume of our shipments during the first half of this year the total for the nine months ended with September showed a gain of 12,000,000 pounds over the corresponding period of last year, and an increase of 76,900,000 pounds over the first nine months of 1918. Shipments of pigs, slabs, etc., for the current year to September 30 amounted to 201,934,124 pounds, compared with 189,900,660 pounds during the corresponding period of 1919, and 125,003,797 pounds during the first nine months of 1918.

There was also exported in September 1,104,515 pounds of zinc in sheets, strips, etc., bringing the nine months' shipments to 20,565,993 pounds, compared with 31,935,000 pounds during the same period last year, and 17,327,000 pounds during the first nine months of 1918.

The following compares exports of zinc in pigs, slabs, etc., from the United States during the nine months, with the value:

1920—	Pounds	Value
January	27,833,222	\$2,809,852
February	35,075,120	2,509,268
March	28,058,238	2,307,069
April	29,900,771	2,514,634
May	17,003,151	1,489,235
June	28,453,674	2,151,343
July	17,060,129	1,452,196
August	16,464,364	1,412,890
September	3,195,855	289,918

The following shows the destination of our export trade in zinc pigs, slabs, etc., during the nine months of the past three years (in pounds):

	1920	1919	1918
France .....	49,007,220	55,178,823	60,648,532
Italy .....	1,242,754	17,526,982	11,489,152
Norway .....	27,266	598,475	235,200
Un King .....	133,934,657	82,196,546	38,915,193
Canada ....	356,869	3,481,639	3,991,936
Mexico .....	201,059	122,370	966,412
Japan .....	4,737,785	23,076,333	3,009,924
Australia ..	2,088	515,402	.....
Other entries	12,424,426	7,204,090	747,448

## COLORADO BANK CLOSES

DENVER, Colorado—The Farmers National Bank at Sterling, Colorado, a member of the Federal Reserve System, has been closed. The reason assigned is difficulties by farmers in disposing of crops because of lack of cars. The bank allowed its reserves to get too low. The trouble is purely local. The bank had a capital of \$100,000 and deposits of approximately \$1,200,000. It had loans and discounts estimated at more than \$1,000,000. The bank was organized in 1909.

## The children recognize the wrapper.

They know the deliciousness inside. And instinctively they take to Holsum Bread. It is properly baked at just the right temperature for just the right length of time. Get Holsum Bread, fresh every day, from your grocer.

## HEYDT BAKERY

SAINT LOUIS

AMERICAN BAKERY CO.

## American Storage and Moving Co.

STORAGE, PACKING, MOVING

## Fire Proof Warehouses

Expert Service

Bomost 261 Central 6829

2315 Olive Street

ST. LOUIS, U. S. A.

## APPAREL OF QUALITY

for Men and Boys

A rare degree of interested service.

Exclusive, but not expensive

Werner & Werner

—Quality Center—

Old-Fashioned

SAINT LOUIS

## Cresap Bailey & Company

PUBLIC ACCOUNTANTS

ST. LOUIS

Audits Systems Tax Service

Title Guaranty Bldg Olive 7758

# A 9½% Investment



Class "A"  
Channell Chemical Co.

O-Cedar

Preferred and Profit Sharing  
\$62.50 per share to yield 9½%  
with Further Possibilities

ALMOST every one knows O-Cedar. Nearly every woman knows what an almost indispensable article it is—at least four out of five know. Most men know what a wonderful business success it has been (in the past nine years it has paid 260 per cent dividends on its outstanding capital).

O-Cedar is as well known in many parts of the world as it is in America. (About one million dollars' worth of O-Cedar was sold in England this year.)

The O-Cedar business has been owned by a close corporation—Mr. C. A. Channell and a few associates. The business has exceeded its working capital's limitations.

## More Capital Required

In order to expand, to make new day economies, to meet world-wide conditions, to make O-Cedar a larger success, new capital is required and invited. An inviting investment opportunity is offered.

This new capital is to be invested in new manufacturing facilities, enlarging markets, foreign expansion and other channels that have proven profitable.

## The Plan

The plan is this: Class "A" Common Stock is being offered to the public.

This stock is sold at \$62.50 per share. The return is an annual dividend of \$6.00 per share. A yield of 9½ per cent. This dividend is the first obligation of the company.

The stock is really preferred stock because the dividend is fixed—\$6.00 per share annually. In addition, the Class "A" Stock has full voting power, is non-callable, free from the normal Federal Income Tax and exempt from the Illinois Property Tax.

It has further earning possibilities—to yield more than 9½ per cent through extra dividends.

Class "B" Common Stock is to be held by Mr. Channell and his associates. No dividends can be declared on the "B" Stock until the dividends on "A" shares have been paid. Then the "A" shares further profit in the earnings equal to the "B" after the "B" have been paid. In other words the "A" Stock is preferred as to the earnings as well as to the assets.

Upon the completion of this financing the Company will not have any bonds, mortgages or preferred stock (it being the intentions to retire the outstanding preferred stock).

## Earnings in the Past

The earnings of the Company for the past nine years have exceeded 40 per cent. The earnings for the seven months ending July 31st, 1920, were \$269,875.00, or over the entire annual dividend requirements of \$6.00 per share on the Class "A" Common Stock. These earnings were made despite the high cost of raw materials and adverse working conditions.

Earnings for the year 1920 (before tax deductions) should exceed \$600,000.00.

## Additional Earnings

In addition to O-Cedar the Channell Chemical Company owns the sole and exclusive sale rights for Aladdin Dye Soap throughout the world. This means that Aladdin Dye Soap is destined to occupy in its field what O-Cedar is in its—a dominating leadership. It means to you, as an investor in the Channell Chemical Company's stock, an additional source of profit.

It is confidently expected that the present financing will enable the Company to double its business—both in O-Cedar and Aladdin—during the next year. In this event the total profits should exceed One Million Two Hundred Thousand Dollars, or over five times the regular dividend requirements on Class "A" Stock, leaving a large equity applicable to the payment of extra dividends.

## Present Management Unchanged

Mr. C. A. Channell will remain in active personal direction of the Company. He has no intention of retiring. His entire fortune, to a large degree, is represented by Class "B" stock. He is neither withdrawing his capital nor personal efforts. In fact, the same hands that have guided the Company in the past will direct it in the future.

## Prompt Action Suggested

As an oversubscription of these shares is anticipated prompt action is suggested.

A form below is shown for your convenience in effecting a reservation of shares subject to your confirmation after investigation.

Additional information, financial statement, history of the company, etc., upon application.

F. A. BREWER & CO.

Investment Securities

CHICAGO

Suite 612, 208 South La Salle Street

The statements contained herein, while not guaranteed by us, are based on information and advice which we believe to be accurate and reliable. All legal matters pertaining to the issue have been passed upon by Messrs. Adams, Childs, Bobb and Wescott, Chicago. The books of the company have been audited, as of October 6, 1920, by Messrs. Barrow, Wade, Guthrie & Co., Certified Public Accountants. The appraisal of the Company's properties has been under the direction of the American Appraisal Company.

In making reservations for this stock or in writing for information you are requested to use form similar to the following.

F. A. BREWER & CO.,

Suite 612, 208 South La Salle St., Chicago, Ill.

Please reserve in my name.....shares of the Class "A" Common Stock of the Channell Chemical Co. at \$62.50 per share. This reservation is subject to my cancellation or confirmation within ten days from this date.

Please send me further information, financial statement, history of the Channell Chemical Company.

Name Address City State



K & Co.  
Street  
n 7  
Springfield  
Providence



## COLLEGE, SCHOOL, AND CLUB ATHLETICS

RUGBY OUTLOOK  
IS VERY BRIGHT

Cambridge University Expects to Turn Out a Strong Team for Its Inter-Varsity Football Game With Oxford University

Special to The Christian Science Monitor  
CAMBRIDGE, England—One of the most popular features of the Rugby football season is always the Oxford-Cambridge inter-varsity match, which takes place this year at the well-known Queen's Club ground, on December 7. That this season's Cambridge Rugby team will be good is certain, and if things develop as they may do it will rank very high among the best sides turned out by Cambridge. The Light Blues started badly and have gradually improved their play in all departments; but Oxford is also a very good side and there should be a great struggle when the rival Blues meet. It is extremely difficult to speak of the composition of a rugby team a month before a match as so much can happen in that time, particularly to players in a university side. At the time of writing, C. F. K. Watson, the fullback who last year had the distinction of being picked as reserve for both England and Scotland, and K. R. J. Saxon, the Blue wing-three-quarter, are by no means certain to play, while, Sub-Lieut. M. Bradby, who was working himself into the team as a stand-off halfback, may not play again this season.

It is hoped, however, that Watson and Saxon will be able to play, as they will be difficult to replace, but a new stand-off halfback has to be found. J. P. MacLay is the best natural player left for that position, but he is not particularly good and the authorities are likely to persevere with a three-quarter like F. Gardiner from Loretto, who should make quite a good stand-off. For scrum-half of the Blue, A. B. S. Young, has a strong opponent in J. R. Illingworth, who is improving every time he plays. At the beginning of the season it was thought that the three-quarter play would not be up to standard. Many men have already been tried, but without much success, until Stanley Cook appeared in the team and seemed to supply just what was previously lacking. At any rate there was a marked difference in the line from the moment he appeared. He has come "up" with a big reputation gained with Blackheath, which is, of course, one of the leading London clubs. He possesses a really sound working knowledge of the game and it is that quality which is standing him in such good stead. He not only knows what to do himself, but can lead others and where there is hesitancy before there is now initiative.

H. W. C. Craigie, the golf Blue, was a long way from success on the wing, but he also improves every time he plays in the center. He and Stanley Cook should indeed prove hard to improve upon. The wing, the two best men are undoubtedly Saxon and D. D. B. Cock. J. B. W. Robertson was almost deserving of inclusion last year and he did many fine things for the side in the new year, but this term he has not succeeded in reproducing the same form, and, except in case of emergency is hardly likely to get his Blue. The forwards are on the light side, but should be very good indeed when they can bring their scrum well up to their play in the loose. G. S. Conway, the international, is leading them in great style, and such Blues as W. R. F. Collins, R. Cove-Smith, and P. A. Batty are all playing at the top of their form. The remaining Blue, W. C. D. Conisidine, has put on a lot of weight and is now over 15 stones. That is useful in a way, but he has lost his pace and there is some doubt if he will be included again. However, there are a host of good forwards to pick from.

A. Carnegie-Brown is back in his best form, while both H. K. P. Smith and J. L. H. Miller, the seniors, are doing well. Then there is T. H. Morel, the old Laysan, who is playing the wing game with such success that he scores tries in practically every match. He is a wonderfully clever dribbler and is very fast—faster than the majority of three-quarters—but as is only natural in a man playing the "loose head," he does very little work in the scrum. On that account there was at one time some doubt if he would be played, but he has given such fine exhibitions that he cannot well be left out of the team.

CANADIAN CURLERS  
TO VISIT SCOTLAND

Special to The Christian Science Monitor from its Canadian News Office

OTTAWA, Ontario—An event of more than ordinary interest in international sport is the forthcoming visit of 32 Canadian curlers, who will sail for Scotland on December 30, to play a series of games in that country. The company will consist of 10 curlers from Manitoba, 10 from Ontario and six each from Quebec and Nova Scotia.

The Manitoba team will be composed of the following: J. T. Haig, M. P. P. Winnie; W. F. Payne, Winnipeg; A. M. Blackburn, Winnipeg; William Connor, Morden; A. H. Doig, Glenora; Dr. J. D. McGregor, Butte, Montana, and two more to be selected.

The Quebec will be made up of the following: Thomas Williams, Montreal Curling Club; H. J. Alrith, Refrere Curling Club; John Foley, Riveau Curling Club; W. C. Murray, Outremont Curling Club; J. H.

Tunstall, Thistle Curling Club; J. Stewart, Heather Curling Club. The following have been selected to represent Ontario: W. Robson, Lakeview Club, Toronto; Colonel McKenzie, Sarnia; Dr. White, Shelburne; Dr. McKendrick, Galt; T. H. Douglas, Hamilton; R. M. Wardell, Peterboro; Harvey Sims, Kitchener; R. Williamson, Detroit; Alexander Paill, Stratford. Another is to be appointed by the president of the Ontario Curling Association.

SOUTH SHIELDS  
LOSES AT HOME

Notts Forest Has the Honor of Defeating the Second Division Football Leaders for First Time

Special to The Christian Science Monitor  
LONDON, England—Quite the surprise of the season, so far as the second division of the Association Football League is concerned, was provided on November 6 by the defeat of South Shields on its own ground by Notts Forest. This result was all the more surprising as the league leaders had won all their previous six home engagements, with an aggregate score of 20 goals against 5. However, as both Cardiff City and Bristol City lost their matches, South Shields managed to retain the lead in spite of the unexpected reverse. Cardiff City, perhaps the cleverest team in the league, were expected to make a bold bid to lower Leicester's unbeaten home record, but the latter proved too hard.

Much to the joy of a large crowd, Bury returned to its best form, and succeeded in penetrating the strong Bristol City defense twice without response. The home team's latest local recruit, Bullock, for the second home match in succession, had the distinction of scoring both goals. R. Perry and Fred Heap were the star performers in Bury's defense, and succeeded in keeping the Bristol forwards completely at bay. Birmingham gained a fine away victory over Wolverhampton Wanderers, who are very weak this season. The match was for the joint benefit of E. J. Pears and Samuel Brooks, both very popular members of the Wolverhampton team. Birmingham ruled the play throughout, and was deservedly the victor. G. H. Marshall gave a very sound display at back for Wolverhampton, and for him and Pears the Birmingham score would have been very heavy.

Fulham made a great fight of it at Blackpool, but had to admit defeat by the only goal scored. Blackpool would have won much more easily but for another fine display by A. Reynolds in the Fulham goal. J. Torrance, as usual, was a tower of strength at center-half, and F. J. Penn was the best of the visiting forwards. J. Heathcote played a great game at inside-right for Blackpool.

The Sheffield Wednesday team has indeed struck a bad patch just lately, and met with its fourth defeat in succession, being defeated at home by West Ham. Daniel Shea and S. C. Puddefoot were a constant source of anxiety to the home defense, for whom J. Blair put in some very stout work. H. W. Lane kicked splendidly at back for West Ham, and T. W. Brelsford played a good game at inside-left for Sheffield. Stoke gained the most decisive victory of the day by defeating Leeds United by four clear goals. A. E. Watkins was the hero of the game, and had the honor of scoring three of the goals himself.

TOURING CRICKET  
CLUB IS WINNER

Marylebone Defeats Queensland by an Innings and 41 Runs—Cecil Parkin Bowls Excellently

Special to The Christian Science Monitor from its Australasian News Office

BRISBANE, Queensland (Tuesday)—The Marylebone Cricket Club gained their third victory of the Australian tour today, when they defeated Queensland here by an innings and 41 runs. Queensland made 186 in the first innings, to which Marylebone Cricket Club replied with 419, thus setting home defeat. Thanks largely to the bowling of Cecil Parkin and F. E. Woolley, and despite the efforts of S. W. Ayres and J. A. O'Connor, who scored 41 and 67, respectively, the Queensland side failed to accomplish this task and were dismissed for 192. In the first Australian innings Moore made the top score of 85 before being caught by E. H. Hendren off Wilfred Rhodes' bowling, but Parkin bowled him for 20 at his second attempt today. Outstanding feats on the Marylebone Cricket Club side were scores of 162 by Rhodes and an attractive innings of 84 by J. W. H. Douglas, the English captain.

Parkin's bowling was A-1 in the second innings, though frequent changes made by Douglas militated against good figures. Altogether Parkin took seven wickets, while Woolley captured four.

**EVERS TAKES CONTROL**  
CHICAGO, Illinois—J. J. Evers, newly appointed manager of the Chicago Nationals, has assumed active command of the club on his arrival from Cuba. He will remain here several days to discuss pending deals to strengthen the club.

**FRISCH SIGNS UP**  
NEW YORK, New York—Frank Frisch, star third baseman of the New York National League Baseball Club, has signed a 1921 contract. He will be shifted to second base next season if Rapp, the infielder purchased by the Giants from St. Paul of the American Association, makes good at third base.

RANGERS LEAD  
BY WIDE MARGIN

Famous Glasgow Team Shows Brilliant Form in Its Soccer Football Game with Dundee

By special correspondent of The Christian Science Monitor

EDINBURGH, Scotland—The Rangers of Glasgow had one of their best victories of this season's Scottish League Association football championship when, playing at home on November 6, they defeated Dundee by 5 goals to 0. It was a brilliant display their forwards gave, and for a team that has been looking high and low, far and wide, for a center-forward, since William Reid of international fame left them, it was peculiarly gratifying that the young man who filled the position should have met with such marked success. George Henderson was given a trial at center-forward again, and such good use did he make of it that he scored no fewer than 4 goals. When tried before he had not impressed, and only once before had he scored. He was playing between two fine-going wings and he made the most of his opportunities. He is a Forfar youth, and the irony of his remarkable performance was that it was achieved against Dundee, the club that introduced him to first-class football and parted with him to the Glasgow combination. It was also pleasing to the Rangers that they should have won so handsomely with their new back from Ireland, W. McCandless, formerly of Belfast Celtic, making his debut. He was not severely tried, for the Dundee forwards were of little account in the game, and even Juno Bell could not secure his customary goal. He had, however, scored 13 in 15 games.

The Celtics, too, had an easier win at Dumbarton than was anticipated. They also were at the top of their form and their opponents—greatly improved team though they have shown themselves to be of late—were outplayed before the end came. For a time they fought pluckily against odds, and at half time the scores were equal; but later the better football of the Celtics asserted itself. The Dumbarton goalkeeper, John Miller, was in brilliant form, and made a splendid save from a penalty kick.

Both of Edinburgh's clubs were among the winners on November 6, and the state of affairs which had happened only once before this season. The Hearts of Midlothian, at Airdrie, put the Airdrieonians completely out of the running for the championship. Truth to tell, it was only a forlorn hope that the Airdrie team could have had after their three successful draws, but the Hearts' win quite settled the matter. This was the Airdrieonians' first defeat since their opening game of the season, away back in August, and since then they had had 10 wins and four draws, which hardly served to lose to the Hearts, for they had been attacking almost incessantly when the Edinburgh forwards, led by W. Wilson, broke away and scored through H. I. Smillie, one of the reserve players. The Hearts, who were without their star halfback, Robert Mercer, were quite strong behind, but poor in the front line.

The wonderful thing about the Hibernians' success against Albion Rovers was that they were able to score 5 goals, a thing they very seldom do, and had done only once before in the 1920-21 campaign. When the Hibernians were excelling themselves in the marksmanship direction, it might have been taken for granted that David Anderson, their center-forward, would have some of the goals to his credit. He scored a couple, the first two, and Patrick Hannigan, who had not been a scorer before, had also two. After a shaky start, the Hibernians were superior from the time they opened the scoring. Since their notable win over Celtic, the Albion Rovers have lost 9 goals in two games. It is curious how such things happen. The Rovers are a team fit to rise to the highest heights, but are just as likely to plumb the depths. For half an hour or so against the Hibernians they appeared to have the points well in their keeping. This success, coming after three successive defeats, must have been very welcome to the Edinburgh Irishmen.

Falkirk, Aberdeen and Kilmarnock were all defeated on their home grounds by the narrowest of margins, and, indeed, with one or two exceptions, a feature of the day's play was the closeness of the results. It was noteworthy that only four teams out of a possible 11—the Rangers, Hibernians, St. Mirren and Clyde—obtained victories on their own pitches. Were it not for the Rangers and Celtic, the competition for the league championship would be a most interesting one. But the present state of affairs is an old story, and apparently an everlasting one. It is for the other clubs to exert themselves and see that the annual fight for the flag is made a more open one. Falkirk are falling badly this season, and their followers are hoping that, with the arrival of their new center-forward from Belfast, J. Gowdy, the Irish international, there will be a turn in the tide. The results of their last nine games have been one win, three draws and five defeats.

Hamilton Academicals are their latest victors—a surprise result—and Third Lanark and Partick Thistle were the others who gained wins away from home. Third Lanark's success at Aberdeen was one of the best performances of the day, and it was even better than the one-goal victory made it out to be. Partick Thistle did well to gain both points at Kilmarnock in a game which, for most of the time, looked like ending in a draw. St. Mirren fully deserved their win over Raith Rovers, and on the run of play Greenock Morton

should not have dropped a point to the Queens Park. They had scoring opportunities galore, but took only one of them, and the "Queens" snatched the equalizer a couple of minutes from the end of the game. It was a close call for the amateurs.

YALE CLUB IN A  
SECOND SWEEP

Columbia Club Players Lose All Matches in the Class B Play—Class A Tourney Goes On

INTER-CLUB SQUASH TENNIS (Class B)			
Yale Club	Won	Lost	P.C.
Crescent Athletic Club	1	0	1.000
D. K. E. Club	1	0	1.000
Columbia Club	1	2	.333
Princeton Club	1	2	.333
Army and Navy Club	0	2	.000

Special to The Christian Science Monitor from its Eastern News Office

NEW YORK, New York—The Yale Club champions again scored a clean sweep in their class B team championship match at squash tennis, this time at the expense of the Columbia University Club. They had a close battle, however, three of the seven matches being won by exceedingly narrow margins. That between W. A. Kimbel of the Columbia club and Thomas Coward was the closest, Kimbel leading, but Coward finally took the first game after extra points. The second game was similar. Coward carried off the five extra points in one hand.

J. A. Vietor, making his first appearance this year, also had trouble in disposing of Donald McClave. The summary:

Thomas Coward, Yale Club, defeated W. A. Kimbel, Columbia Club, 15-15; 15-15.  
J. F. Trounstein, Yale Club, defeated F. M. Simonds Jr., Columbia Club, 14-18; 15-15.  
Joseph Walker Jr., Yale Club, defeated A. C. Scott, Columbia Club, 15-3; 15-11.  
Clyde Martin, Yale Club, defeated F. W. Chambers, Columbia Club, 15-6; 15-12.  
J. A. Vietor, Yale Club, defeated Donald McClave, Columbia Club, 12-15; 15-3; 17-15.  
C. J. Cooney, Yale Club, defeated W. H. Putnam, Columbia Club, 15-4.  
Lindsay Bradford, Yale Club, defeated R. V. Mason, Columbia Club, 15-10; 15-8.

On account of the single court of the D. K. E. Club only three matches were played in their team match with the Princeton Club, the others being postponed until today. Capt. E. L. Ward of the D. K. E. team disposed of Capt. Robert Piel of the Princeton Club, while K. N. Hawkes, a novice at the game, also played well against Harold Rowe. The summary:

E. L. Ward, D. K. E. Club, defeated Robert Piel Jr., Princeton Club, 15-7; 15-11.  
Harold Rowe, Princeton Club, defeated K. N. Hawkes, D. K. E. Club, 9-15; 15-8; 15-11.  
W. W. Taylor, D. K. E. Club, defeated Jarvis Cromwell, Princeton Club, 15-11; 15-8.

On account of the team matches only five matches were played in the tournament at the Columbia University Club. Jay Gould made his first appearance and showed great improvement in form, notably in a skillful change of pace and a remarkable cut service aimed at the extreme corner of the court.

In the match between R. E. Fink of the Crescent Club and the left-hander, J. A. Richards, Richards won the first game when Fink shifted his first service into the right-hand court, confusing Richards and throwing him out of position. The summary:

**PALL SCRATCH TOURNAMENT**  
Second Round  
Jay Gould, Columbia Club, defeated J. F. Trounstein, Yale Club, 15-5; 15-1.  
Clyde Martin, Yale Club, defeated J. N. Worcester, Columbia Club, 15-3; 15-9.  
S. S. Baker, Yale Club, defeated A. M. Kidder, Princeton Club, 15-8; 15-15.  
E. J. Fink, Crescent Athletic Club, defeated J. A. Richards, Harvard Club, 11-15; 15-3; 15-4.  
Third Round  
H. R. Mixsell, Princeton Club, defeated Harold Tobey, Princeton Club, 15-5; 15-11.

C. E. MCGUIRE TO LEAD  
NEXT CHICAGO ELEVEN

Special to The Christian Science Monitor from its Western News Office

CHICAGO, Illinois—C. E. McGuire '22 star tackle, has been elected captain of the University of Chicago football team for 1921. Major letters for football work during the season just closed were awarded to 21 men, by far the largest number given out in recent years by A. A. Stagg, athletic director. Eleven of this number have received letters in past seasons.

Seven seniors who were honored are Capt. C. T. Jackson, tackle; H. L. Hanisch, fullback; J. C. Reber, center; A. M. Baird, center; P. D. Hinkle, end; R. F. Barker, tackle; and B. E. Hutchins, fullback. Nine juniors are Captain-elect McGuire; H. O. Crisler, halfback; W. D. P. Henry, guard; E. F. Rouse, halfback; R. M. Cole and L. W. Tatge, quarterbacks; Robert Halladay, end; E. H. Palmer, fullback; and J. P. Neff, halfback. The five sophomores who won letters are O. E. Strohmeyer, end; H. W. Lewis, guard; C. M. Redmon, guard; R. A. Timme, fullback; and G. H. Hartong, center.

**ILLINOIS ELECTS WALQUIST**  
Special to The Christian Science Monitor from its Western News Office  
URBANA, Illinois—L. W. Walquist '22 was elected captain of the 1921 University of Illinois football team at the annual banquet given by the local Rotary Club. Walquist has been the mainstay of the Illinois backfield for two years and is considered one of the most brilliant open-field runners of the west. He is also one of the leading forward passers of the western conference. He plays left halfback.

KIECKHEFER SETS  
A NEW HIGH RUN

Chicago Chalks Up 10 in His Match With C. A. McCourt—Layton Gets a Run of 9

Special to The Christian Science Monitor from its Western News Office

UNITED STATES NATIONAL PROFESSIONAL THREE-CUSHION BILLIARDS CHAMPIONSHIP			
Won	Lost	H. R.	P. C.
C. L. Jackson	7	1	.875
Alfredo de Oro	6	1	.857
M. J. Layton	6	1	.857
H. C. Maupome	7	2	.778
A. H. Kieckhefer	6	2	.750
John Daly	6	3	.667
C. S. Otis	6	3	.667
C. R. Morin	6	3	.667
C. A. McCourt	9	6	.600
H. H. Heal	2	9	.182
H. B. Lean	2	9	.182
J. W. Capron	1	10	.091

Special to The Christian Science Monitor from its Western News Office

CHICAGO, Illinois—Unchecked since his two defeats early in the tourney, P. E. Maupome of Milwaukee, Wisconsin, continued his upward climb in standing by a 50-to-42 victory over Chicago's star entry, A. H. Kieckhefer, in the lone Tuesday afternoon match in the final stages of the preliminaries for the United States professional three-cushion billiards championship at Strauss Auditorium. Defeat toppled Kieckhefer out of a tie for second place, while Maupome moved up one step to fourth place.

After the eleventh inning the Milwaukee victor set the pace all the way, although Kieckhefer threatened to draw up abreast on several occasions. Maupome is said to be playing at the best of his career, while the local star, who has defended the title seven times in previous years, is not up to his former championship caliber. Tuesday afternoon's battle, which was witnessed by the largest crowd of the season to date, lasted for 65 innings, and the high run for each contestant was 4. The match by frames:

P. E. Maupome—1 0 0 0 0 1 0 0 1 2  
0 2 2 0 2 3 2 0 1 3 0 0 2 0 0 1 0  
0 0 0 0 1 0 0 0 1 0 3 0 0 2 1 0 2 0  
0 0 0 0 0 2 0 0 2 1 0 2 0 0 2—39.  
Innings—65. High run—4.

A. H. Kieckhefer—3 0 0 0 1 0 0 1  
0 0 1 0 2 0 1 0 1 4 0 0 0 0 0 2 0 0  
1 0 0 0 1 0 0 0 0 1 0 2 0 3 0 0 1 1 0  
0 1 0 2 0 2 0 0 1 1 0 2 0 0 0—42.  
Innings—65. High run—4.

Referee—A. S. Mannassau.

New high run for the tourney, a 10, was set up by Kieckhefer Monday night in defeating C. A. McCourt of Cleveland, Ohio, also a former holder of the title. The score was 50 to 37 in 55 innings. The previous high run of the tourney was 8, recorded by Kieckhefer and three others. This was McCourt's last appearance, as he completed his schedule with 2 victories and 9 defeats. The match by innings:

A. H. Kieckhefer—2 0 0 1 2 0 0 0 0 0  
0 0 1 2 0 0 1 0 0 0 3 2 2 1 0 0 2  
0 0 1 0 2 1 0 0 1 0 2 0 1 0 0 2 1 0  
2 0 1 0 1—50. Innings—55. High run—10.

C. A. McCourt—0 2 0 0 1 0 0 1 0 0 1  
0 0 0 1 2 0 1 0 3 1 1 0 3 0 0 0 3 1  
0 0 0 0 4 0 0 2 0 1 0 0 4 0 1 0 1 0 0  
0 0 4—37. Innings—55. High run—4.

Another point-an-inning-or-better game, his fourth, was scored by J. M. Layton of St. Louis, Missouri, who defeated C. S. Otis of New York City 50 to 29 in 49 innings. Layton came close to duplicating Kieckhefer's high run, stopping at 9. The St. Louis player counted 25 times in one stretch of nine turns. Otis played his final game. He leaves a record of six wins and five losses. The match by frames:

J. M. Layton—2 0 1 0 0 0 0 0 0 0 1  
1 0 0 0 0 0 1 0 0 1 0 3 4 1 3 0  
1 2 0 0 0 2 0 0 1 1 0 2 0 0 1—50.  
Innings—49. High run—9.

C. S. Otis—0 0 0 0 2 0 0 3 0 0 0 0 0  
1 1 0 0 0 1 0 0 0 0 2 1 1 0 0 0 0 0  
1 1 1 2 0 0 0 1 1 2 2 5 0—29. Innings—49. High run—5.

Referee—J. H. Lewis.

LAFAYETTE WINS  
CROSS-COUNTRY

Easily Takes the Middle States College Title With Lehigh University in Second Place

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WISCONSIN MEN GET  
LETTERS AND ELECT

Special to The Christian Science Monitor from its Western News Office

MADISON, Wisconsin—G. M. Sundt '22 will captain next year's football team at the University of Wisconsin. Sundt, one of the greatest fullbacks in the west, has won three "W"s in football, one in track and field athletics, and one in basketball. He has made a splendid record in the Intercollegiate Conference Athletic Association, putting the shot, hurling the javelin, and broad jumping. He played guard on last year's basketball team.

Letters have been awarded to 19 players on this year's football team. Players awarded the "W" who will be lost to next year's team are P. L. Weston '21, captain of this year's eleven; A. C. Davey '21, Harry Margolis '21, H. B. Stark '21, and R. V. Scott '22. The following letter men will form the nucleus for the 1921 squad:

H. C. Barnes '21, J. L. Brader '23, O. A. Egebrecht '21, W. A. Barr '21, G. C. Bunge '21, W. K. Colling '22, A. C. Elliott '22, E. H. Gibson '23, S. H. Holmes '23, G. E. Nelson '22, C. M. Sundt '22, G. K. Tebbell '23, F. R. Williams '23, J. P. Woods '23.

NEW COACH FOR  
OREGON SQUAD

G. M. Bohler, Former State College of Washington Star, Is to Coach Basketball at Eugene

Special to The Christian Science Monitor from its Pacific Coast News Office

EUGENE, Oregon—G. M. Bohler, former three-year basketball letter man at the State College of Washington, is to coach the University of Oregon quintet during the 1920-21 season, according to an announcement made by the athletic council of the university. Bohler succeeds Charles Huntington, former Oregon athletic star and present baseball and football mentor, who handled the basketball squad last season.

Bohler graduated from the State College of Washington in 1914, after four successful years in basketball, football, and baseball. Before going to Oregon as an instructor in gymnasium this fall, he was connected with various forms of athletics in the east, and goes to Oregon with a highly praised record as a basketball mentor.

Following the completion of the interclass championship of the university, won by the sophomores, and the interfraternity basketball series, now under way, Coach Bohler will start the varsity candidates out for their regular work. Last season, when basketball was coached by Huntington, the fall practice was delayed until after the Christmas recess because Huntington's time was entirely taken up with his preparations for the Harvard football game January 1. With the early start this year, Oregon's basketball standing for the season is expected to show a material increase over that of last year.

The Coast and Northwest Conference schedules for the coming season are not prepared as yet. These schedules are drawn up at the fall meetings of the athletic conference, and the 1920 schedule is expected to be prepared some time in December.

## HOREMANS TO PLAY IN CHICAGO

Special to The Christian Science Monitor from its Western News Office

CHICAGO, Illinois—Edouard Horemans, Balk-line billiards champion of Belgium, is to play at Strauss Auditorium here, where the United States national professional three-cushion billiards tourney is now in progress, during the second week of December. This announcement was made Tuesday by Fred Semple, manager of the Auditorium. It has not been decided whether Horemans will play exhibition matches or whether prizes will be put up.

## CLUB AFTER NEW QUARTERS

FORT WORTH, Texas—Manager Tristram Speaker has announced that he is looking for a new training spot for the Cleveland American League Baseball Club for the spring. He prefers Texas or Florida, he declared, and expects to close a deal before going to Chicago in December to attend the American League meeting.

## CARDINALS PICK TEXAS

ST. LOUIS, Missouri—The St. Louis Nationals will train at Orange, Texas, next season. Exhibition games will be arranged with the Philadelphia Americans, who will train at Lake Charles, Louisiana.

A NEW  
**ARROW**  
COLLAR  
A COLLAR THAT'S RIGHT  
FOR THE KNOT THAT'S  
TIED TIGHT 32 32 32  
Cluett, Peabody & Co. Inc., Troy, N.Y.

COLUMBIA HAS  
VETERANS BACK

Blue and White Will Turn Out Strong Chess Team to Defend Its Intercollegiate Title

Special to The Christian Science Monitor from its Eastern News Office

NEW YORK, New York—The chess team of Columbia University, winners last year in the Intercollegiate Chess League composed of Harvard, Yale, Princeton and Columbia Universities is busily engaged in making preparations for the 1921 season. After the intercollegiate tournament, scheduled for the Manhattan Chess Club, New York, during the holiday recess, several team matches with other colleges outside the league, including the University of Pennsylvania, and the College of the City of New York, are in process of arrangement, and an eight-man team will be entered for the Metropolitan Chess championship, scheduled to begin early in February.



## MUSIC

## Chicago Notes

Special to The Christian Science Monitor  
from its Western News Office

**CHICAGO, Illinois**—With the pomp of sound proceeding from the Chicago Opera Association's performances in the Auditorium and with the admirable music of the Chicago Symphony Orchestra—intervening and varied recitals are to be taken as a matter of course—the season is at its busiest. Since the curtain was raised upon the first act of "Jacqueline" on November 17 the Chicago company has presented its patrons with "The Jewels of the Madonna," "The Tales of Hoffmann," "Tosca," "Cavalleria Rusticana" and "Pagliacci." These are old friends, some of them, to be sure—like "The Tales of Hoffmann"—friends which have been sleeping for a season or two. Mr. Johnson, who so ably is guiding the destinies of the Chicago Opera Association, believes that what the public wants is the good old tuneful species of opera that is represented by such a composition as "Il Trovatore" and that the bacchanal from Offenbach's melodious version of Hoffmann's adventures is considerably more potent in drawing people to the box office than are the creations of twentieth century writers, who put their trust in bizarre harmonies and whole-tone scales.

Some new singers made their first appearances in these older works. Forrest Lamont, who had been heard before in other works, sang the part of Gennaro in "The Jewels of the Madonna" for the first time and sang it dramatically and well. Riccardo Martin, who previously had been identified with the Metropolitan Opera Company, made his appearance with the Chicago organization in "The Tales of Hoffmann," bringing to his work the excellent voice and the histrionic experience that had caused him to be valued by the company in New York. "In Tosca" on November 20 Joseph Hislop—a Scottish artist from Covent Garden—revealed his abilities in the part of Cavaradossi. The newcomer disclosed a voice of admirable quality and some appreciation of the necessities of operatic histrionism. Later efforts probably will prove that Mr. Hislop has been a valuable asset in Mr. Johnson's forces. In "Cavalleria Rusticana" on November 20—this was a "popular" performance given in the evening—Rose Lutiger Gannon, who long has been greatly respected as an interpreter of oratorio and the literature of the concert stage, made her first appearance in a highly contrasted medium by singing the music of "Lucia." This is not a part of the first importance, but it was enough to prove that Mrs. Gannon will more than justify her engagement by the local company. Margery Maxwell, who previously had been identified with insignificant roles, was elected to the responsibilities of the part of Nedda in "Pagliacci"—given as usual after Mascagni's composition—and she made good use of her opportunities.

The Chicago Symphony Orchestra offered homage to the memory of Bruch by playing the prelude to that composer's opera "Loreley" at its concert November 19-20. Bruch was justly admired for his violin concertos and for some of his choral works, but "Loreley" took the measure of his abilities as a writer for the stage. The prelude to the opera, however, was attractive enough in its pretty melody and graceful instrumentation. A novelty was the "Stenvenoniana" by Edward Burlingame Hill, assistant professor of music at Harvard University. The earnestness of purpose which generally distinguishes the music of university professors and which, at the same time, neutralizes some of its beauty, does not appear to have affected deleteriously the inspirations of Mr. Hill. His "Stenvenoniana" contains much that appeals to the ear; much that is poetic and fanciful.

The soloist at the concert was Benno Moiseiwitsch, who performed Schumann's lovely concerto and the infrequently interpreted but brilliant Fantasia Suite by Ernest Schelling. It would be difficult to over-praise the imaginative charm and the beautiful skill of the Russian artist's performance. Such delectable playing is too seldom heard.

## Minneapolis Music

Special to The Christian Science Monitor  
from its Western News Office

**MINNEAPOLIS, Minnesota**—The occasion of Kreisler's recent concert was the opening of the Minnesota University series and for this he proffered a program that in some respects was hardly worthy the greatness of the performer. It is perhaps natural that many will disagree with the statement that the Vieuxtemps violin concerto in D minor is a rather innocuous composition, but nevertheless, even the splendid performance given to it by this great violin exponent hardly caused a ripple of interest. He gave as much depth to the slow movement as any violinist is capable of, without imbuing it with the vital spark of musical life. The technical skill of this artist needs no exploitation from any music reviewer, and this came to fullest fruition in the scherzo, which is usually omitted in a performance of this concerto. It is an excellent bowing exercise, and in this particular was utilized to the fullest extent. Had it not been for the interpolation of the Bach chaconne at the last minute the program would have held little interest for the cultured musician. This, however, atoned for many shortcomings, for it was played with nobility of style and wonderful impressiveness. The remainder of the program was devoted to the interesting short pieces in which Kreisler specializes at such recitals as this.

Tchaikowsky's first symphony occupied first place on a recent Minneapolis symphony program. How many amongst the concert-goers of America have heard this early composition of the Russian master? Comparatively

very few, it may be affirmed, and, in spite of the careful attention Mr. Oberholzer paid to every trifling detail in his reading, it will not find a particularly warm welcome another time. It is Tchaikowsky at his most youthful period. He is not sure always of the way he will take and this results in considerable unevenness in the development of his thematic material. There are, of course, many suggestions of the new pathway that he was to blaze for himself; now and again there occurred an explosion of color and a brilliance of exposition that indicated a new spirit in symphonic writing; but these were not sustained in anything comparable to the degree found in his later works and there was a corresponding decline of interest amongst the auditors. Far more interesting from many points of view was a program overture for orchestra by Lee Sowerby, a brief, scintillating composition that does not quite carry out the promise of the opening statement, but at the same time holds considerable hope for the future of this young writer. He has a comprehensive knowledge of orchestral combinations, and in this piece, that is based upon a poem by Bliss Carman, there is fine vigor of expression and a splendid sweep of movement.

A soloist new to Minneapolis audiences, Raoul Vids, violinist, made a striking impression by his performance of the Saint-Saens concerto in E minor. For so young a player he has very few immaturities and these are not of a character to mar the splendid promise indicated by his interpretation of this work. His tone is virile and carries well. Occasionally there was a slight failure to grasp the uttermost depths of feeling in the slow movement, but his technique was beyond reproach; and in one of his encores, the Rieux "Perpetuum Mobile," he gave an exhibition of spicato bowing surpassing anything of like character heard here for many a long day.

Hulda Lashanska appeared in St. Paul under the auspices of the Schubert Club of that city and deserves the enthusiastic encomiums of every music lover for the admirable manner with which she presented a program of songs and arias. She is one of the most satisfactory interpreters of songs that has been heard in this vicinity, with a voice of fine quality and a distinct individuality that added materially to the pleasure of hearing her sing.

## ENFORCING LIQUOR LAWS IN ONTARIO

Exposure of Lawlessness on the Border Is Rousing Province to Need of More Action

Special to The Christian Science Monitor  
from its Canadian News Office

**WINDSOR, Ontario**—The public sentiment in favor of more rigid enforcement of the provincial liquor laws, roused by exposures of lawlessness at the border, and by the shooting of a hotel man in Sandwich by the Rev. J. O. L. Spracklin, special license inspector, in the performance of his duty, has not been without some influence on the Ontario government, as evidenced by the steps taken to reinforce the liquor law enforcement staff and to check still further the enormous traffic in liquor across the international boundary. Immediate changes were made in the magistracy at Windsor and in the license staff at the border, and now a new superintendent of provincial police for the western part of the Province has been appointed by the attorney-general.

The new arrangement puts W. L. Lamin, the new superintendent, under the control of the attorney-general, instead of under both license board and provincial secretary's department, a point which partly negated the efforts of license officials hitherto.

Widespread sympathy was expressed throughout Ontario by lay and clerical organizations with Mr. Spracklin for the position in which he was placed. Mr. Spracklin himself, from a pulpit in Exeter, declared that he had done only what his duty demanded, that he had made every effort he could to restrain the traffic at the border, and that he would not give up now. He would continue his work if retained in the post by the government and would not slacken because of threats against his life.

There was some comment of a nature adverse to the pastor-inspector as well, some prominent men being among those to accuse Mr. Spracklin of over-zealousness. Dr. Forbes Godfrey, member in the Legislature for West Toronto, declared at a Toronto meeting that there were plenty of laymen capable of carrying out Mr. Spracklin's duties, and that he should not be allowed to continue. He should be allowed to return to his pulpit. He was evidently making an effort to emulate the work of W. E. Johnston of the United States. Other public men criticized Mr. Spracklin and in response to public demand, the attorney-general decided to place Mr. Spracklin on trial for the shooting of the hotelman. He is on bail in the meantime and will continue his duties.

Dr. Godfrey's tirade brought a warm reply from the Rev. Humphrey A. Graham, chairman of the Windsor Methodist district, in which he rebuked the "sudden zeal" of the former in the matter of law enforcement. However, he pointed out there was no objection to the fullest investigation, that the more publicity given to the affair, the more easily would the public see the great need for drastic action to check the trade of the law-breakers. Why confine the passion for justice to the present instance, Mr. Graham asks. There are most flagrant violations of the laws of the Province in many communities, and Dr. Godfrey should not rest in his place in the Legislature till the offenders are brought to trial.

## HOME OWNERSHIP DECLARED NEED

Solution of Industrial Problems Seen in the Encouragement of Workers to Purchase Homes and Develop More Gardens

Special to The Christian Science Monitor

**BOSTON, Massachusetts**—That one of the ways to industrial harmony and lower living costs lies through increasing the number of homes owned by workers in industry and encouraging the development of home gardens is the conclusion reached in the report of a committee on this phase of industrial life to the Associated Industries of Massachusetts. The report asserts that employers are in the habit of ignoring the importance of this factor among those making for success in manufacturing, and declares that "industrial homes and gardens in future are to be one of the major elements."

"The great bulk of immigrants to the United States in the past 50 years have been agriculturists in their own countries, as had their forbears for generations before them," said B. Preston Clark of North Plymouth, Massachusetts, in submitting the report. "They love the soil and know how to work it. And in any large way, we employers have done but little to make it possible for them to do this. The houses which we have built have been too often crowded, not too attractive, and with little or no garden space. In the main they have been rented and not owned."

The report points out that war gardens demonstrated the ability of the people in urban districts to produce food well, and asserts that the majority of workers express a desire to own homes and to operate small gardens. The decline in the percentage of citizens owning homes, from the unanimity of 300 years ago to the present day, is deplored with the assertion that "it gives us one picture of how far we have unconsciously departed from a condition of society which is natural and sound, as well as being that upon which the growth of our country has been very largely based."

The actual money value of the food grown, the report says, may not be great, but the satisfaction derived from the production of food and ownership of the home and garden is considerable. The shorter day of labor is declared to have come to stay and with it there will be extra time that can be put to use about the home, providing the worker in industry an outlet for the creative impulse that the average work does not afford. Contact with the soil, the report continues, makes men constructive, because they see how much work it takes to produce, and how easy it is to destroy by neglect or badly directed effort.

"To make the thing look attractive to the workers," the impulse of the employer, however earnest and well intentioned, will avail nothing, unless the workers themselves desire these houses and gardens, because they believe their acquisition will make them more happy, contented and independent. The average worker, before he invests his savings in a house, must feel reasonably sure of regular employment, at fair wages and under good working conditions. He must also be relieved of the fear of arbitrary discharge. The conditions under which he makes this investment must be such that he will not feel that he has tied himself, or placed himself in an industrial position where the company may take advantage of him.

"There is one other angle from which this matter may be thought of. The ebb of labor from the farms to industry is a national fact today. It may prove, by the method which we have suggested, possible to bring farms to the people, when it is not possible or perhaps desirable to induce the people to go to the farms."

## PLEA FOR RISE IN WATER POWER RATES

Special to The Christian Science Monitor  
from its Pacific Coast News Office

**SAN FRANCISCO, California**—The Great Western Power Company states that it has in contemplation an expenditure of \$200,000,000 for hydro-electric development in California in the next 15 years, and is appealing before the State Railroad Commission for an increase in rates. The company made a plea that the wellbeing of the industries of the State was involved in the utilities of the State, and pointed out the great need for the development of the State water-power. In the discussion of the methods to be pursued in fixing the value of the property of the Great Western Power Company, for the purpose of rate fixing, it was brought out that the valuations to be submitted by the power company to the commission were based on reproduction cost of hydro-electric development in California in the next 15 years, and is appealing before the State Railroad Commission for an increase in rates. The company made a plea that the wellbeing of the industries of the State was involved in the utilities of the State, and pointed out the great need for the development of the State water-power. In the discussion of the methods to be pursued in fixing the value of the property of the Great Western Power Company, for the purpose of rate fixing, it was brought out that the valuations to be submitted by the power company to the commission were based on reproduction cost of hydro-electric development in California in the next 15 years, and is appealing before the State Railroad Commission for an increase in rates.

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## LEGAL NOTICES

(D. P. U. 206)  
**THE COMMONWEALTH OF MASSACHUSETTS**  
In Department of Public Utilities.  
Boston, November 18, 1920.  
On the petition of the Boston Consolidated Gas Company to raise the standard price of gas per thousand cubic feet, in accordance with the provisions of section 42 of chapter 422 of the Acts of the year 1906, the Commission of the Department of Public Utilities will give a public hearing to all parties interested at a hearing-room, 160 State House, Boston, on Wednesday, the eighth day of December next, at ten-thirty o'clock in the forenoon.  
And the petitioner is required to give notice of said hearing by serving a copy hereof upon the Mayor of the City of Boston and the respective chairmen of the Selectmen of the towns of Brookline and Milton fourteen days at least prior to the time of said hearing, and by publication hereof in the "Boston Post," the "Boston Herald," the "Boston Globe," the "Boston American," the "Boston Transcript" and the "Boston Evening Record," in each of said papers twice each week for two successive weeks prior to the time of said hearing, and to make return of service and publication at the time of hearing.  
By order of the Commission,  
**ANDREW A. HIGLANDS,**  
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## BOOK REVIEWS AND LITERARY NEWS

## A LITERARY LETTER

New York, November 29, 1920.

Authors are a draw. I have never seen so crowded an audience at the National Arts Club as on the occasion of "Author's Night" at the Book Exhibition. Seven were announced, and each had promised to stand on the platform and read, or speak. Two of them did not appear—Tagore and Oliver Herford, author of "This Giddy Globe." This was a pity; it would have been pleasant to see the remote Tagore and the actual Herford on the same platform. Miss Marguerite Wilkinson, the poet, showed the most accomplished platform manner; indeed, she was the only one with any kind of assurance. She recited her poems prettily, and my neighbor said—"What a dear woman!"

I SHOULD give the second prize for platform manners to Mr. Kermit Roosevelt, author of "The Happy Hunting Ground." He has his father's smile, without Mr. R.'s gusto. Mr. F. Scott Fitzgerald, author of "Flappers and Philosophers," is all that fancy paints. His platform manner is infatigable, but very attractive; he won all the hearts. The note of Lee Wilson Dodd, author of "The Book of Susan," is modesty, coupled with a whimsical outlook on the world, and on himself. Christopher Morley, author of "Hide-and-Seek," has a serious, jaunty hide-and-seek manner as of one who has not quite gotten used to the world—or to a platform. It was the manner of one who wrote this on the sale at auction of a letter from John Keats to Fanny Brawne (See "Hide-and-Seek," p. 59):

"The soul of Keats, the singer! Bitter Love That broke the proud hot heart it held in—

Eight hundred bid; fair warning: the last call!

I did not wait to see the authors autograph copies of their books. They did it with spirit, I am told.

THE next evening I saw "Heartbreak House," by George Bernard Shaw. "It isn't a play at all," said Belinda after the curtain had fallen. "So long as I am kept amused and interested for nearly three hours." But I have one serious complaint to make. The company, with a few exceptions, are not elocutionists. The chief requisite for an actor is to speak clearly, to enunciate every syllable, and at a Shaw play I do not want to miss a word. The Theater Guild should start a compulsory elocution class. As I missed so much of the dialogue, I read "Heartbreak House" the next day, and the Preface—46 pages of it. The Preface is propaganda—the play is fun, with fine gleams of seriousness.

ANOTHER play I saw during the week was "Just Suppose," by Augustus Thomas. Residents of Alaska and Alabama may not be aware that in this comedy, the Prince of Wales falls in love with a pretty southern girl living in Virginia. An impossible, dramatic motif I should have thought, but the writing, and the setting, is so neat and pretty that the audience was convinced and moved. It cried. Everybody cried, some sobbed. It was extraordinary—a New York audience crying because the Prince of Wales is not allowed to marry an American girl from Virginia. Even I, who am perhaps the sternest man that ever crossed the Atlantic, had to use my handkerchief. We were all very sorrowful as we left the theater, but our grief seemed less profound when we discovered that it was raining, and that there were no cabs.

MY "Buy a Book a Week" purchase is "The Age of Innocence," by Edith Wharton. I did not buy it because of the silly picture on the cover (Oh, those jackets!), but for a statement on the back—"It is of New York Society in its Age of Innocence, the Eighteen-Seventies, when it drove up Fifth Avenue in victorias." I like to group books on my shelves in pairs. "The Education of Henry Adams" stands alongside "The Americanization of Edward Bok." And I should not wonder if, a week hence, "The Age of Innocence" did not stand against "Main Street" by Sinclair Lewis.

MR "SMILES" sold me, with an innocent smile, "The Age of Innocence." He also foisted upon me the Bolshevik poem called "The Twelve," by Alexander Blok, which in Russian is reported to have sold 2,000,000 copies, and which some publisher has called "A Masterpiece." That publisher should go to school again. "The Twelve" is merely very violent, and rather vulgar. It cost me 50 cents (it's only 23 pages) and I shall ask Mr. "Smiles" to take it back for a quarter. It may read better in Russian, but I have not time to learn a new language.

A COPY of Colonel Repington's "The First World War 1914-1918," in two volumes, has just arrived. I have spent an agreeable hour looking it through. For I cannot resist tasting a book. Few indoor pastimes are so agreeable; and I foresee that this book of Colonel Repington's will make, with Mrs. Asquith's "Autobiography," another pair on my shelves. They are a new departure in autobiography: they make social history important, and they dare to proclaim, what everybody knows, but what most people pretend not to know, that men and women during the war went on living—talking, wondering, frolicking—that we were not all heroes and dollar a year men, but continued to play the game of life, because it takes more bravery to go on naturally than to drop into spasms of panic and patriotism. The historian of the future will derive more truth from these books by Colonel Repington and Mrs. Asquith than from all the official his-

stories of the war. The reason of the success of these volumes is that the authors have no false shame and are unafraid. To a true democrat it is heartening to find people in high places treated as ordinary people, which most of them are, and occasionally to see the effect of the insertion of a pin in an inflated balloon.

A CORRESPONDENT wishes to know if I really read Masfield's "Right Royal" to the steeds exposed for hire on Atlantic City Sands. No, sir! At the last moment, at the moment of mounting, Belinda discovered that her habit was not "le dernier cri." I reined in my steed, not easily, and the animal had advanced a few yards, and said over my shoulder to Belinda: "For leaving me thus in the lurch I shall give you, as a holiday present, a copy of 'Who's Who Among the Clergy.'"

IT is curious that America's greatest poet, Whitman, and her greatest artist, Whistler, should have been excluded from the Hall of Fame.

TO Straight Statements I have added the following:

"Yet Mr. Chesterton, in spite of these defects, does not fall a prey to them; he writes as well as ever he did, and as ill. And the reason, we think, is that in all his writing he is really talking and keeps the spontaneity and the hastiness of the good talker. His prose has no texture; between the good things it is just like casual, slipshod talk. There seems to be the clash of mind with mind, and the resulting sparks; and no one else can produce this effect—not merely in sentences but also in the very process of his thought—as Mr. Chesterton does it. It is his art, and it is vain to expect a different one from him."

(From The London Times on G. K. Chesterton's book or essays, "The Uses of Adversity.")

AMONG the New Books that I would like to read, are:

"Memories," by Lord Redesdale. Because these ambling Memoirs in two volumes deal with Victorian days, a period that I am beginning to envy; and because of all reading I find Memoirs the pleasantest.

"Making Advertisements," by Roy S. Durnstine. Because my young literary friends, who are able to afford a new \$100 overcoat, are writing not essays, not on art, not on philosophy; they are writing advertisements. And my overcoat is in its fifth year.

"Gorgeous Poetry," by J. B. M. Because this Anthology of Humorous Poetry seems to be really humorous; it contains this delicate burlesque of the Anglo-Irish style.

My sorrow that I, With the ever-singing birds Of yellow-haired Aengus, Alas my path, Cannot do this sort of thing Like Yeats.

—Q. R.

## AN OXFORD ALUMNUS

A Memoir of the Right Honorable Sir William Anson, Edited by Herbert Hensley Henson, Lord Bishop of Hereford. Oxford at the Clarendon Press. 12s. 6d.

The Bishop of Hereford has certainly performed well a task none too easy, for what the memoir of Sir William Anson loses in unity, owing to its plural authorship, it makes up in variety and probably also in accuracy. To Oxford men of the last thirty years or so, this brief biography of the well-known and well-loved warden of All Souls will have, of course, a special interest, whilst the light which it throws on many aspects of the political life in England, during the first 14 years of the present century, and the intimate glimpses it affords of many public men will greatly widen its appeal. A considerable space is devoted to correspondence and to extracts from Sir William Anson's diary, which latter especially are always interesting and curiously characteristic.

## HUMOROUS COMMENT

American Towns and People. By Harrison Rhodes. New York: Robert M. McBride & Co. \$2.50.

In places, Mr. Rhodes' kind of humor has the old-time extravagance that used to be considered so distinctly American. In other places, one almost begins to believe that his comments are intended to be serious. Of course there is not much new to be said about Boston, Philadelphia, New York, Chicago, or even Baltimore; not even a rush of good old American humor can greatly enliven these familiar subjects. Still, Mr. Rhodes' impressions are as good as anyone's, and his book, as a whole, is amusing to glance through. Those who enjoy the fresh twist given to the familiar will relish his chapters, especially perhaps the one called "Is There a West?"

In this chapter the author declares that "there is, of course, a middle west; it is astonishing to find that it now extends as far as Utah, where in Salt Lake City an enterprising junk company proclaims itself 'the largest in the middle west.' The west, if it exists, has already been pushed beyond the high Sierras. It only remains to discover whether or not it has been shoved into the Pacific and safely out of American life."

Some day a book of clever impressions of various of the smaller towns in the United States will have to be written to give to Americans themselves, as well as to others, a fairer conception of what average living really has been. To distinguish vividly between Topeka, Kansas, and Lincoln, Nebraska, or between Saginaw, Michigan, and Akron, Ohio, would be much more of an accomplishment than to record the differences between the larger cities. Anyone desiring to write such a book could probably get some notion of how to do it by reading Mr. Rhodes' entertaining sarcasms and then setting out to do something probably quite different and even more animated.

## A BOOK OF THE WEEK

The Autobiography of Margot Asquith. London: Thornton Butterworth. 25s.

Mrs. Asquith's autobiography has made a tremendous stir in England; or rather, to speak more truthfully, a tremendous stir has been made in England & propos of Mrs. Asquith's autobiography. For there is little in the cause to justify the effect; the subject of a first class sensation turns out, after all, to be a not very unusual book; and those who have busied themselves in speculating as to the real reasons which prompted the author to consent to publication might more profitably have been employed in pointing to the more obvious motives of publisher and press. The book, we are told, was first available at midday and was sold out by 3 o'clock. It had scarcely seen the light before it was torn to shreds by a pack of critics, who quoted for the most part from the serial edition.

There are, beyond all question, two legitimate and serious criticisms to be made of this first volume of Mrs. Asquith's work; and it will be convenient, instead of harping on them to the exclusion of every other subject, to get them stated and out of the way before proceeding to any description of the book itself. There are, in the first place, inaccuracies. The scene in the Cabinet room on the night when war broke out between England and Germany is not correctly described in every detail; and there are other minor historical errors which have been corrected by those whose memory was more literal or whose knowledge was more complete. The unbiased mind, so far from being surprised by these inaccuracies, will only be provoked to wonder how much of so-called history would pass unchallenged if it could be submitted to the examination of contemporaries and participants.

Secondly, there are passages in this book which give offense. They have been quoted in great detail in practically every notice which has yet appeared in England, and there is no need to repeat them here. In some cases Mrs. Asquith has been recklessly outspoken, and her command of language bars her points; in a few cases it is not through an excess of frankness that she has exposed herself to criticism but through a kind of delicacy which astonishes the shy, retiring Briton. She speaks to the public of her private joys and her most secret sorrows; and she exposes the nakedness of real feeling in a manner which, to many Englishmen, seems shocking.

These are side issues. The inaccuracies and the indiscretions are an insignificant proportion of a book which was well worth writing, which is worth reading, and which deserves to be presented and criticized honestly. It is not history, nor mere scandal; it is neither a gospel, nor a creed, nor a polemic; its form is so haphazard and incoherent that it is not a work of art; but it is, what it claims to be, an autobiography, a human document, giving us the life story of an individual whose eyes and ears were sharper than most, whose circumstances were such that she could scarcely fail to have two volumes of interesting things to say. If anyone who knows England will look at the index, he will find in that alone a sufficient justification for the publishing of this book.

Those who can never bring themselves to admit the obvious have denied, in all sorts of ways, that the subject of this autobiography is Mrs. Asquith. The unprejudiced reader will feel quite certain, before he is half through with the book, that Mrs. Asquith never could have written about any other subject than herself. Her personality is the one connecting thread that holds the book together; she is tremendously interested in herself, and we in turn may find a double interest in watching her and in seeing from a new angle the social history of England for the past generation. The stage is an entirely, or even principally, set for politics. Seven prime ministers, it is true, pass across it in turn and are shown to us for a brief moment under the searching limelight, or left, as in one case, to pass in silence and in darkness. But more pages are given to hunting than to statesmanship, and scholars like Jowett, men of literature like J. A. Symonds, and the great ladies of England all play leading rôles.

For Englishmen perhaps the chief value of this book is that it contributes a fascinating chapter of the social history of their country. But Mrs. Asquith should have a far wider range of appeal than to those readers only who have some lingering fondness for the manners and the domestic interests of a generation which has almost passed away. Her book will endure not as a study of men and manners, but as an astonishing feat of self-revelation. To anyone who can appreciate the complexities and the contradictions, the fascinating inconsistencies and elusiveness, the eternal inscrutability of human character in general and the modern developments of womanhood in particular, this autobiography must make an irresistible appeal.

Margot Tennant was the daughter of the man whose courage and tenacity led to the rediscovery of the Mysore gold mines. A "child of the heather," she spent her early days in Scotland, among those border people who "were more intelligent than those born in the South." "Great stretches of heather swept down to the garden walls; and however many heights you climbed, moor upon moor rose again in front of you." "If it were possible to ask the towns to tell us whom they find most untamable, I have not a doubt that they would say, those who are born on the moors." "Every shepherd poacher

knew this untamable child; she might have been seen crouching under a dyke in the rain, beside a tramp, or walking with a shepherd boy on his way to school." "We were wild children, and left to ourselves had the time of our lives." She had scrambled up every tree, walked on every wall and knew every turret of her castle home. "I ran along the narrow ledges of the slates in rubber shoes at terrific heights. . . self-willed, excessively passionate, disconcertingly truthful, bold as well as fearless and always against convention. I was, no doubt, extremely difficult to bring up."

"I knew no girls and had no friends except my sisters." For a brief space the "hyphenated seminary" for young ladies opened in London by a "French woman of ill-temper and lively mind" was disturbed by the irruption of this child of the moors. In six delicious pages the preliminary skirmish and the final pitched battle with convention and authority are described and then the victor leaves the vanquished in possession of the field, and goes to Dresden to finish the education which had never seriously been begun. "I made great friends with Frau von Mach and in loose moments sat on her kitchen table, . . . eating black cherries; we discussed Shakespeare, Wagner, Brahms, 'Middelmarch', Bach and Hegel, and the time flew."

But now the more serious work of life was to begin and it becomes impossible to summarize or arrange the crowded, disconnected story which Mrs. Asquith has to tell. She has many qualms about telling it at all. "I shrink then, as I do now, from writing the secrets and sensations of life. Reticence should guard the soul and only those who have compassed should be admitted to the shrine." . . . "but in this book I must write what I think, without fear or favor and with a strict regard to unmodeled truth." If any criticisms are to be made against the opening of the shrine to those who may defile it, they should be framed in the measured sentences which Jowett wrote to Mrs. Asquith in a letter which she publishes herself: "These criticisms on society in which some of us live and move and have our being" are mistaken. In the first place, the whole fabric of society is a great mystery, with which we ought not to take liberties and which should be spoken of only in a whisper when we compare our experiences. . . . And there is also a great deal that is painful in the absence of freedom in the division of ranks and the rising or falling from one place in it to another. I am convinced that it is a thing not to be spoken of; what we can do to improve it or do it good must be done quite silently." But these words were written in 1892 and times have changed since then. We are less reticent than our fathers and we are inclined to suspect mysteries which can only be spoken of in a whisper. For better or for worse, Mrs. Asquith has thrown reticence to the winds. "Prudence is a rich, ugly old maid wooed by incapacity." But this book contains less malice than it has already provoked. "If I have written any words here that would offend an enemy, I can only refer them to my general character. . . . I am not tempted to be spiteful, and have never consciously hurt anyone in my life." Indeed, there would be some excuse for greater bitterness than the most rancorous reviewer will be able to detect in this first volume. In one short paragraph Mrs. Asquith contemptuously dismisses the slanderous stories which were assiduously circulated during the war about her connection with Germans; and in general she chooses to be silent where a revengeful nature would relax control. "No one has had such wonderful friends as I have had, but no one has suffered more at discovering the inability of human beings, and how little power to love they possess."

The contents of the book the reader must be left to find out for himself. It is a mosaic of anecdotes, incidents and reflections, lightning sketches of character and shrewd appreciations; intensely personal throughout, and transparently honest. The freedom of the moor breathes through the whole story; a love of nature, or horses and physical endurance, an adventurous courage which rides as recklessly over social obstacles as over timber. And though this is the first book that Mrs. Asquith has published, she has a command of English which gives distinction and interest to everything she tells. "If ever I am not really-forgetting, I am infinitely compassionate and moved to my foundations by the misfortunes of others. Truthfulness with me is hardly a virtue, but I cannot discriminate between truths that need and those that need not be told. Want of courage is what makes so many people lie. I am energetic and industrious, but I am a little too quick. I am driven along by my temperament till I find myself and every one else, . . . dance, drive and skate well. I am not a talent for drawing and I am intensely musical, but have neglected both these accomplishments. I am restless. Many of my faults are physical. If I had chosen my own life—more in the hills and less in the traffic—I should have slept better and might have been less overwrought and disturbed."

Amiel has taught the world to look for little truth in self-expression; and every reader of an autobiography will

make it his delight to piece together not so much the confidence as the tell-tale fragments that have dropped unnoticed in the less deliberate and self-conscious pages. In this case he may well come to the same conclusion as the shrewd Austrian who told Mrs. Asquith in Paris, "I don't believe you know in the least what you are like!"

## AMONG A LITTLE KNOWN PEOPLE

Through Central Borneo. By Carl Lumholtz. New York: Charles Scribner's Sons. 2 vols. \$7.50.

Carl Lumholtz has certainly produced a most readable book, and he has done it in the simplest way possible. "Through Central Borneo" can make no pretensions to style. From beginning to end, it is just a straightforward narrative of "what happened," very much as it might be recorded in leisurely fashion in a letter. The writer moves from one subject to another, just as they occur to him, and does not trouble, to any great extent, to maintain intact the golden thread of connection.

Almost any page of Mr. Lumholtz's two very interesting volumes will afford instances of this. Thus describing an expedition into the jungle he writes: "A Kayan messenger here arrived from the kampong, bringing a package which contained my mail, obligingly sent me by the controller. The package made a profound impression on the Dayaks as well as on the Chinese interpreters, all of whom crowded round my tent to observe what would follow. I went elsewhere for a little while, but it was of no avail. They were waiting to see the contents. So I took my chair outside, opened and read my mail, closely watched all the time by a wondering crowd."

"None of our attendant natives had been in this part of the country before except a Punan, now adopted into a Kayan tribe, who knew it long ago and his memory at times seemed dimmed. Fresh tracks of rhinoceros and bear were seen and tapirs are known to exist among these beautiful wooded hills."

So the record unfolds itself. It is, however, largely because of this very informality and inconsequence that the book is so eminently readable. Once the reader has mastered the difference between a Dayak and a Malay, obtained a general idea of Mr. Lumholtz' purpose and of the kind of country he was passing through, all of which may readily be done there after, it will make very little difference where he dives into the book. Of course, the best way is still to read it straight through, but there is one specially entertaining chapter, toward the end of the second volume, on the folklore of the various tribes visited, into which the reader who discovers it must, surely, be tempted to make all manner of premature excursions. However he may read the book, the reader will quickly find himself gaining a very distinct idea of the aboriginal people of Borneo, and he will also find himself steadily beginning to share Mr. Lumholtz' very favorable estimate of them in spite of their head-hunting ways.

The Dayak would indeed appear to be a decidedly lovable people, possessed of a natural kindness, almost unbelievably superstitious, but cheerful, withal, capable and energetic. "They are honest, trustworthy and hospitable," Mr. Lumholtz declares. "In their kampongs a lonely stranger is safe from molestation and a white man traveling with them is far safer than with the Malays. They are able wood craftsmen, and strikingly artistic, even their firewood being arranged in orderly fashion, pleasing to the eye."

One of the chief attractions of the book is undoubtedly the very excellent series of photographs with which it is illustrated. These photographs are, indeed, an integral part of the study, and are not, as is so frequently the case, mere interjections designed to lighten the text. "Through Central Borneo" is written, of course, primarily for the general reader, but the trained ethnologist will find it none the less useful on that account.

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## THE HOME FORUM

## Tap o' th' Hill

It was in pleasant Derbyshire.  
Upon a bright spring day,  
From a valley to a valley  
I sought to find a way;  
And I met a little lad,  
A lad both dithy and bold;  
And his eyes were of the blue,  
And his hair was of the gold.  
"Ho! little lad, of yonder point  
The name come quickly tell!"  
Then prompt as any echo,  
"The answer—'Tap o' th' hill!'"  
"But has it any other name?"  
That a man may say—as thus—  
Kinderscout, or Fairbrook Naze?"  
Then said the child, with constant  
gaze:  
"Tap o' th' hill it gets with us,"  
"Yes, yes!" I said, "but has it not  
Some other name as well?"  
"Its own, you know?" "Aye, aye!" he  
said,  
"Tap o' th' hill! Tap o' th' hill!"  
"But your father, now? how calls it  
he?"  
Then clear as is a bell  
Rang out the merry laugh:—"Of  
course,  
He calls it Tap o' th' hill!"  
—T. E. Brown.

Margaret Fuller on the  
Prairies

"In Chicago I first saw the beautiful  
prairie flowers," Margaret Fuller con-  
fides to us in "Summer on the Lakes."  
"They were in their glory the first ten  
days we were there—  
"The golden and the flame-like  
flowers."  
"The flame-like flower I was taught  
afterwards, by an Indian girl, to call  
"Wickapee;" . . .  
"Beside these brilliant flowers,  
which gemmed and gilt the grass in a  
sunny afternoon's drive near the blue  
lake, between the low oakwood and the  
narrow beach. . . I enjoyed a sort  
of fairyland exultation never felt be-  
fore, and the first drive amid the  
flowers gave me anticipation of the  
beauty of the prairies."  
"At first, the prairie seemed to speak  
of the very desolation of dullness.  
After sweeping over the vast monotony  
of the lakes to come to this monotony  
of land, with all around a limitless  
horizon—to walk, and walk, and run,  
but never climb, oh! it was too dreary  
for any but a Hollander to bear. How  
the eye greeted the approach of a sail,  
or the smoke of a steamboat; it  
seemed that anything so animated  
must come from a better land, where  
mountains gave religion to the scene."  
"The only thing I liked at first to do,  
was to trace with slow and unexpect-  
ing step the narrow margin of the lake.  
Sometimes a heavy swell gave it ex-  
pression; at others, only its varied  
coloring, which I found more admir-

able every day, and which gave it an  
air of mirage instead of the vastness  
of ocean. Then there was a grandeur  
in the feeling that I might continue  
that walk, if I had any seven-leagued  
mode of conveyance. . . for hundreds  
of miles without an obstacle and with-  
out a change. . .  
"Notwithstanding all the attractions  
I thus found out by degrees on the flat  
shores of the lake, I was delighted  
when I found myself really on my way  
into the country for an excursion to

## My Three Gardens

Yes, I have three gardens. You  
come upon the first one as you are  
shown up the staircase to the drawing-  
room. It is outside the staircase win-  
dow. This is the daffodil garden—  
three feet eight inches by nine  
inches. The vulgar speak of it as a  
window-box; that is how one knows  
that they are vulgar. . . .  
Sometimes I sit on the stairs and

appear to be washing his Sunday shirt  
for him, instead of pruning or potting  
out, which is what I pay them for. . .  
My Japanese garden has this advan-  
tage over the others, that it is inde-  
pendent of the seasons. The daffodils  
will bow their heads and droop away.  
The tulips—well, let us be sure that  
they are tulips first; but, if the man is  
correct, they too will wither. But the  
green hedgehog which friends tell me  
is a cactus will just go on and on. . .  
—From "If I May," by A. A. Milne.

story itself has clung to my memory.  
It related to the earlier days of Scrib-  
ner's Monthly and to Charles Kings-  
ley's brief stay in New York. To meet  
the British visitor Dr. J. G. Holland  
invited every one who had ever con-  
tributed to Scribner's. One of these  
invitations went to an elderly maiden  
lady in a remote New England village,  
a few of her unpretending lyrics hav-  
ing been printed once upon a time in  
the pages of the magazine. She held

## "Christian Idolatry"

Written for The Christian Science Monitor  
The essence of worship is obedi-  
ence. The truth of this statement  
is not impaired by the obvious fact  
that, in their everyday "walk and con-  
versation," men and women are fre-  
quently placed in positions where  
obedience, often implicit obedience, to  
a superior authority is required and is  
required. There is only one true  
obedience, and that is obedience to  
Principle. The channel through which  
the order comes is of no consequence.  
"The powers that be," says Paul, "are  
ordained of God." The obedience ren-  
dered to a superior human authority  
is only a small part of man's service,  
a small manifestation of that tremen-  
dous allegiance to the just observance  
of which is required of him every mo-  
ment, his allegiance to God.  
Now, the paramount nature of this  
demand for obedience to God would  
be admitted, at any rate in theory, by  
all Christian peoples and by many  
others. They would accept unhesi-  
tatingly and without any reservation  
the scripture quoted by Jesus, "Thou  
shalt worship the Lord thy God, and  
him only shalt thou serve." Yet,  
whilst they might worship God in the  
superficial and fictitious sense of out-  
ward reverence, they would entirely  
fail of that true worship which is  
obedience.

Now, when any examination is made  
of the life and work of Jesus of  
Nazareth it is found that in all he  
did and said he only recognized one  
allegiance. Early in his ministry, he  
declared to the Samaritan woman at  
the well of Sychar that God is Spirit  
and that those who worship God must  
worship him in spirit and in truth.  
He bade his disciples call no man on  
earth their father, for he said, "one is  
your Father, which is in heaven." When  
the rich young man approached him  
with the address "Good Master!" he  
depreciated its form, insisting that  
"there is none good but one, that is,  
God." He declared that it is the Spirit  
that quickeneth and that the flesh  
profiteth nothing. And, finally, in one  
of his last messages to his disciples,  
he foreshadowed his own complete re-  
pudiation of the flesh, and an inevitable  
similar achievement on the part of all  
who believed on him, in the momentous  
words, "I ascend unto my Father, and  
your Father; and to my God, and your  
God."

So much for Jesus' words! What of  
his deeds? In his every work, from the  
changing of the water into wine at the  
marriage feast in Cana of Galilee to his  
own resurrection from the dead and  
final conquest of the material in the  
ascension, he relied on Spirit alone.  
He never resorted to drugs for heal-  
ing the sick, or to any material plan  
or device for meeting any untoward  
condition, whether it was a storm at  
sea or a hungry multitude in a desert  
place. He allowed nothing to come  
between him and Spirit. For Jesus  
knew, in its fullness, what Mary Baker  
Eddy, the Discoverer and Founder of  
Christian Science, has explained with  
such abundant clarity on page 133 of  
"Science and Health with Key to the  
Scriptures," the textbook of Christian  
Science, "Divine Mind rightly demands  
man's entire obedience, affection, and  
strength. No reservation is made for  
any lesser loyalty. Obedience to Truth  
gives man power and strength. Submis-  
sion to error superinduces loss of power."

How then have professing Chris-  
tians followed the example and teach-  
ing of Jesus Christ? At first, the  
following was faithful, and, if not  
always complete, still it was honest  
and earnest and sure of its reward.  
The apostles and early Christians  
healed the sick, raised the dead, and  
saved themselves and others from  
evil beliefs. Gradually, however, the  
vision grew dimmer, as obedience be-  
came less faithful, and the possibility  
of the flesh, after all, being of some  
profit was again claimed. Before very  
long, matter was reinstated. Direct  
access to Spirit was barred to mortal  
man by his own beliefs. In place of  
the one God, the one good, which  
Jesus ever had resort, his outlook be-  
came littered with all manner of false  
gods of material trusts, ways, means,  
hopes and aims. Heaven, the kingdom  
of Spirit, of reality, which Jesus de-  
clared to be within, and at hand became  
an indefinite locality to be reached,  
hereafter, through death; whilst sin  
and sickness, which Jesus cast out,  
became God's means of salvation.

So the Olympus of orthodox Chris-  
tianity was peopled. Lip-service to  
the one God was sedulously observed,  
but the real master of the situation, as  
far as mortal man was concerned, was  
matter.

No show of hypocrisy, however, no  
matter how clothed it was with tradi-  
tion or sanctified by history and gen-  
eral acceptance, could escape the ex-  
posure involved in Paul's words, "His  
servants ye are to whom ye obey." As  
Mrs. Eddy puts it on page 119 of Sci-  
ence and Health, "When we endow  
matter with vague spiritual power,—  
that is, when we do so in our theories,  
for of course we cannot really endow  
matter with what it does not and can-  
not possess,—we disown the Almighty,  
for such theories lead to one of two  
things. They either presuppose the  
self-evolution and self-government of  
matter, or else they assume that mat-  
ter is the product of Spirit."

The failure to recognize this great  
fact has led through all the centuries  
and still leads to what Mrs. Eddy calls  
"Christian Idolatry." She says on page  
340 of Science and Health, "One in-  
finite God, good, unifies men and na-

tions; constitutes the brotherhood of  
man; ends wars; fulfils the Scripture,  
"Love thy neighbor as thyself;" annihi-  
lates pagan and Christian idolatry,—  
whatever is wrong in social, civil,  
criminal, political, and religious codes;  
equalizes the sexes; annuls the curse  
on man, and leaves nothing that can  
sin, suffer, be punished or destroyed."

## Skis

A pale new moon hung in the western  
sky  
Above the banners of retreating day.  
Almost it seemed a golden aeroplane  
To spy on night, pursuing from the  
east.  
The summit elm where I stood sent  
out  
An endless shadow from the light, so  
faint  
It was a dimming breath of amethyst  
Across the mirror of the wind-swept  
snow.  
The world, I thought, had never been  
so still;  
I heard the tinkle of a blown ice chip.  
The crack of frozen bark within the  
tree  
As with the night the day's thaw  
stiffened up.  
The faint, far baying of a village dog;  
But other sound was not, except the  
wind,  
Viewless and chill, forever rushing  
by.  
Below my feet the pasture dropped  
away  
With white-capped boulders strewn  
it, a long  
Descent to that toy barn and tiny  
house  
That snuggled warmly by the valley  
road.  
Behind a hemlock screen, I pulled  
my cap  
More firmly down about my ears,  
drew in  
One last deep breath of stinging air,  
and slipped  
My skis across the rim: then farewell  
breath,  
And almost vision, too, as tears rolled  
down  
My cheeks, while past my face the  
riven air  
Tore by, and all the hillside flew to  
meet  
My flying figure with a low-hissed  
song—  
The song of rapid runners cleaving  
snow!  
A moment only, and the barn appeared  
Looming beside me, that had been a  
toy.  
A stem with all my strength, a spurt  
of snow,  
And I was through the gate, where  
ran the road  
Sedate and level past the valley farms.  
Far up above me on the lonely hill  
My summit elm sentinelled the ridge.  
A toy tree children might take out and  
stand  
Beside their soldiers on the play-room  
floor.—Walter Prichard Eaton.



"The Walkers on Stilts," by Goya

## The Art of Goya

Goya is the first chronicler of  
the old Spanish life. . . . This very fact  
that no foreign ideals led him astray  
gave to his works on their purely  
artistic side that fresh blood, which  
only those works possess which come  
to us from immediate contact with life  
itself, which are not generated by  
Academical relations with ancient  
works of art. We cannot indeed con-  
ceal from ourselves the fact that Goya  
is often as a painter entirely devoid of  
culture. A man who had so much that  
he wanted to express could only at  
rare intervals possess the calm out-  
look of the artist. Many of his pic-  
tures seem confused and barbarous,  
almost unattractive, so roughly are  
they daubed in. In others we seem to  
notice that they are commissions  
which he discharges in a purely busi-  
ness spirit without any personal pleas-  
ure in the task. But when he was him-  
self inside his subject, where it was  
something that appealed to him art-  
istically, then he becomes absolutely as-  
tounding. . . . He aims at rendering  
the most momentary, the most fleeting  
subjects. He paints in some pictures a  
yearly fair the billows of Humanity;  
he paints girls dancing with castanets;  
scuffles and street scenes. . . .

He paints a street scene; and the  
figures in it are only put in as spots,  
speaking to us. . . . He paints a  
yearly market; and actually we almost  
seem to hear the crowd chattering  
and laughing, as it pushes its way be-  
tween the booths. . . .  
For Goya always contrives to seize  
with a few clean, sharp strokes the  
most striking impression of life. . . .  
At the same time this masterly cre-  
ative power is united with the most  
delicate taste for the nuances of color.  
While he is often a plain painter of  
astonishing truth when he lets his  
figures move in the full vibrating sun-  
shine, in these last works of his, which  
are entirely kept within a transparent  
dark-gray tone, he touches the note of  
Eugene Carrière's art. And yet again  
in other works he sets the pure un-  
broken colors boldly one against an-  
other, just like the later Pointillistes.  
Never does he give us an outlined con-  
tour; with him the outline disappears,  
left entirely indeterminate and bathed  
in light, and in the way in which he  
selects and gives us only the living  
points of his subject he brings back  
our thoughts to the work of Degas.  
—Francisco de Goya," Richard Muther.

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—Francisco de Goya," Richard Muther.

## Talking Shop

Of course, we were prone to talk  
shop at our fortnightly reunions, and  
to break into little groups to exchange  
experiences. Authors and editors met  
informally as fellow-members and  
they welcomed now and again the pub-  
lishers, even making them members  
when they happened to have written a  
book or two. Two of the anecdotes  
told me at one or another of these  
earlier gatherings recur to me now as  
I am jotting down these recollections.  
Who it was that imparted the first of  
them I do not now remember, but the

It is a duty to accept the editorial com-  
mand; and she made her first trip to  
the metropolis. Of course, she knew  
no one of those gathered to do honor  
to Kingsley; and she sat by herself in  
a modest corner. There she was spied  
by Roswell Smith, the kindly publisher  
of the magazine, and he had pity on  
her solitude amid the throng. He in-  
troduced himself and told her who the  
different guests were, delighting her  
by enabling her to see in the flesh the  
writers she had met before only in  
print. Finally he asked her to go with  
him into the dining-room for a cro-  
quette or an ice cream. She hesitated  
for a moment and then confessed  
frankly: "I'd like to, but I don't know  
that I ought. You see, I have a ticket  
for the entertainment, but I'm not sure  
whether it includes refreshments."

The other tale was told me by S. S.  
Conant. . . . At the time of this talk  
with him he was the managing editor  
of Harper's Weekly and he had only  
recently received from E. A. Abbey a  
double-page drawing depicting the ex-  
pulsion of the Quakers from Massachu-  
setts. Conant had at once written to  
Whittier, asking him for a poem to ac-  
company the picture; and the Quaker  
had declined, explaining that he had  
already treated the theme and did not  
feel that he could add anything to  
what he had once said. But Conant  
was not discouraged, and when the  
drawing was engraved on wood he sent  
Whittier a proof of the cut, in the hope  
that the poet might be moved to recon-  
sider his refusal. Within a week his  
faith was justified, and he received a  
pair of sonnets which he received of  
Abbey's beautiful print had evoked.  
Accompanying them was a letter in  
which the simple-minded poet re-  
quested two hundred dollars in pay-  
ment, adding that "if this cannot give  
me so much, they will please return them  
to me, as I can get that sum nearer  
home."—meaning, no doubt, from the  
Atlantic. The editor promptly put the  
sonnets in type and sent a proof to  
Whittier with a check for the desired  
amount. When the proof was returned,  
Conant found that Whittier had inter-  
calated a third sonnet between the  
other two.

"Did you send him another hundred  
dollars?" I inquired, being always an-  
xious that the laborer should reap his  
reward.

"No," responded Conant, smiling. "I  
thought he could ask for it, if he ex-  
pected it."—"These Many Years,"  
Brander Matthews.

## The Child's Character

So then, you have the child's char-  
acter in these four things—Humility,  
Faith, Charity, and Cheerfulness.  
That's what you have to be converted  
to. "Except ye be converted and be-  
come as little children"—You hear  
much of conversion now-a-days; and  
people always seem to think they have  
got to be made wretched by conver-  
sion,—to be converted to long faces.  
No, friends, you have got to be con-  
verted to short ones; you have to re-  
pent into childhood, to repent into  
delight, and delightfulness.—John  
Ruskin.

two or three weeks. We set forth in a  
strong wagon, almost as large, and  
with the look of those used elsewhere  
for transporting caravans of wild  
beasties, loaded with everything we  
might want, in case nobody would give  
it to us—for buying and selling were  
no longer to be counted on—with a  
pair of strong horses, able and willing  
to force their way through mud holes  
and amid stumps, and a guide, equally  
admirable as marshal and companion,  
who knew by heart the country and its  
history, both natural and artificial, and  
whose clear hunter's eye needed  
neither road nor goal to guide it to all  
the spots where beauty best loves to  
dwell.

"Add to this the finest weather, and  
such country as I had never seen, even  
in my dreams, although these dreams  
had been haunted by wishes for just  
such a one, and you may judge  
whether years of dullness might not,  
by these bright days, be redeemed, and  
a sweetness be shed over all thoughts  
of the West."

"The first day brought us through  
woods rich in the mosses and flower  
and lupine, and plains whose soft expanse  
was continually touched with expres-  
sion by the slow moving clouds which

"Sweep over with their shadows, and  
beneath  
The surface rolls and fluctuates to  
the eye;  
Dark hollows seem to glide along  
and chase  
The sunny ridges."

to the banks of the Fox river, a sweet  
and graceful stream."

## A Word for Winter

I wonder how many people there are  
in New England who know the glory  
and inspiration of a winter walk just  
before sunset, and that, too, not only  
on days of clear sky, when the west is  
afame with a rosy color, which has no  
suggestion of languor or unsatisfied  
longing in it, but on dull days, when  
the sullen clouds hang about the hori-  
zon. . . . We are very busy with our  
own affairs, but there is always some-  
thing going on out-doors worth look-  
ing at; and there is seldom an hour  
before sunset that has not some spe-  
cial attraction. And, besides, it puts  
one in the mood for the cheer and  
comfort of the open fire at home.

Probably if the people of New Eng-  
land could have a plebiscite on their  
weather, they would vote against it,  
especially against winter. Almost no  
one speaks well of winter. And this  
suggests the idea that most people  
here were either born in the wrong  
place, or do not know what is best for  
them. I doubt if these grumblers  
would be any better satisfied, or would  
turn out as well, in the tropics. . . .

It seems unaccountable to a super-  
ficial observer that the thousands of  
people who are dissatisfied with their  
climate do not seek a more congenial  
one—or stop grumbling. The world is  
so small, and all parts of it are so  
accessible, it has so many varieties of  
climate, that one could surely suit  
himself by searching.—"Back-Log  
Studies," Charles Dudley Warner.

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# THE CHRISTIAN SCIENCE MONITOR

"First the blade, then the ear,  then the full grain in the ear"

BOSTON, U.S.A., WEDNESDAY, DEC. 1, 1920

## EDITORIALS

### Enter George Leygues

WHEN Alexander Millerand, then Premier of France, took the bit in his teeth in regard to the French policy toward Russia and Poland, last August, there were many, even in France, who viewed the move with serious misgivings. Not only did the Millerand policy of affording substantial assistance to the Poles, then hard pressed by the Bolshevik forces, find no popular favor in Great Britain, but his decision to recognize General Wrangel, and to aid him in his struggle against the Bolsheviks in South Russia, was a deliberate contravention of the understanding then existing between London and Paris. Moreover, not only was the move itself risky in the extreme, but the way in which it was taken was decidedly provocative. Mr. Lloyd George's first intimation that the two governments were not in complete accord came through a Paris dispatch published in the London evening papers, and when his attention was drawn to the matter, in the course of the afternoon session of the House of Commons, he at once explained, with his usual frankness on such occasions, that he had learned of the French decision "with surprise and anxiety," that only a few days previously he had discussed the whole question with Mr. Millerand, at great length, and that no suggestion of any kind had been made as to the recognition of General Wrangel.

At that time, it looked as if a serious breach had been made in the entente, and, indeed, if the British side of the question had been in less able hands than those of Mr. Lloyd George, the consequences might have been disastrous. Mr. Lloyd George, however, at once made it quite clear that there would be no breach, but he also made it quite clear that if France thus elected to carve out a policy of her own in Poland and Russia she would have to carry it through alone.

Now, whatever other factors may have influenced Mr. Millerand in coming to the decision he reached last August, the one supreme factor was the factor of success. General Wrangel was, at that time, successful. The government in Moscow had only contrived to win victories in Poland by reducing the Soviet forces opposed to General Wrangel to a minimum. General Wrangel was advancing steadily. The hopes of the anti-Bolshevik movement in the south were running high, and Mr. Millerand, strongly committed, anyway, to an attitude of opposition to the British plans for reopening trade with Russia, determined to take affairs in South Russia at the flood, and see if they would lead not to fortune. Well, they did—at first. Indeed, so dramatic and so instant was the indorsement by circumstances of the Millerand policy that the Premier of France was very generally hailed as the statesman "for whom the world had been waiting." Within a few weeks of Mr. Millerand's decision being announced, not only was General Wrangel, greatly encouraged by French support, sweeping all before him in South Russia, but the tide had turned completely in Poland, and the Soviet forces were in full flight before the victorious armies of General Sikorski and General Rozwadowski.

Such was the position, last September, when it became necessary for France to elect a new president. Mr. Millerand completely dominated the political field, and he was elected President by an overwhelming majority. The situation was one of quite exceptional interest. It had become almost traditional in France to speak of the newly-elected president "retiring to the Elysée." Mr. Millerand made it perfectly plain, both before and after his election, that he had no intention of retiring, but that, on the contrary, he intended to secure the continuation, by the incoming Premier and his Cabinet, of the Millerand policy. Such declarations aroused but little comment at the time, and less opposition. Mr. Millerand was successful. Under his guidance, France had not only won a great diplomatic victory, but seemed to be in a fair way to win even more substantial victories. The repeated declarations of General Wrangel that all Russia's obligations to foreign countries would be respected, gave heart of grace to the French financier. France was not inclined to be too critical. It was well for France that the Millerand policy should be adhered to. France needed, above all things, a strong man. So it went on.

When, therefore, Mr. Millerand, on assuming office as President, passed over several prominent statesmen, and called upon the little-known George Leygues to form a cabinet, it was at once assumed that a Premier had been chosen who would simply register the wishes and carry out the views of the Elysée. And, after all, said the French financier, it was better so. There ought to be a continuity of policy, and the Millerand policy could not be improved upon. Then, a few weeks ago, a change began to come over the face of things. First of all, General Wrangel ceased to advance, then he began to retreat, then the retreat became a rout and, ultimately, the rout became a débâcle. Whilst Mr. Lloyd George was concluding, in London, the final arrangements for the carrying out of his policy of reopening trade with Russia, General Wrangel was a fugitive in Constantinople, and the broken remnant of his adherents was being carried off to a place of safety by allied ships from Sevastopol. The Millerand policy was finally discredited.

The story of the discussions which have undoubtedly taken place between Mr. Millerand and Mr. Leygues, during the past few days, may never be told, but, whatever they were, it is today Mr. Leygues and not Mr. Millerand who is announcing a policy, and it is the exact opposite of the Millerand policy. Mr. Leygues, like many other unknown men, unexpectedly raised to office, is revealing a strong disposition to plow his own furrow. And so the Millerand policy is reversed, the French blockade of Russia is lifted, and French citizens are authorized to trade at will with the Soviet republic. Of course, Mr. Leygues is careful to insist that such permission does not involve any recognition of the Moscow government. He does his utmost to smooth the way

for the great change over, but the real Mr. Leygues, the Mr. Leygues who quite definitely declines to be merely the mouthpiece of the Elysée, stands revealed when he roundly declares concerning the Russian blockade policy, so essential to the Millerand plan, that it is "dangerous and inoperative."

### The Mexican Situation

FOLLOWING the inauguration of President Obregon in Mexico, the question of recognition of the new government by the United States will naturally be considered on the basis of the conditional understandings at which the Provisional President, Mr. de la Huerta, has demurred. It is possible, however, that because of the presidential inauguration in the United States in March, the question may not be decided until after that time. Recognition is, of course, one of the prerogatives of the President himself. As Mr. Taft says in his book on "Our Chief Magistrate and His Powers," "In receiving foreign Ambassadors and in sending them, he is bound to determine, when there is any dispute, who the lawful government is, to whom he wishes to accredit his Ambassador and from whom he wishes to receive an Ambassador. Therefore in him is necessarily vested the power and duty of recognizing the lawful government of any country." President Wilson could recognize the government of President Obregon, and appoint an ambassador to Mexico, though the appointment would have to be confirmed by the Senate. If there is no recognition until after the change in administration in March, then Mr. Harding will have an excellent opportunity in this connection to show just how he intends to confer with the Senate about foreign affairs.

Though it might seem natural for a president, about to end his term of office, to leave some of the most difficult questions to be settled by his successor of the opposite political party, still the public will probably be better satisfied if President Wilson accomplishes the utmost that is possible in the few months that remain of his term. Recognition of the new Mexican régime may mean much or may mean little. Recognition of Carranza did not accomplish, by any means, what it was hoped that it would. The actual reasons why Mexico desires immediate recognition, and thus is eager to placate the United States, are rather well presented by Mr. Blasco Ibañez in his book on "Mexico in Revolution," even though not all will agree with his conclusions. The main consideration, according to him, is that "Mexico, which might be the richest country in the world, next to the United States, is in a very precarious situation. The taxes on petroleum and minerals (both owned in large part by Americans) and the proceeds of internal imposts are barely sufficient to meet the most pressing state expenditures." Then he goes on to show that what the country is now maneuvering for is a loan of hundreds of millions of dollars. His whole discussion of Mexican expenditures is especially interesting, now that it is announced that the Mexican budget for the next year provides for military purposes 18,000,000 pesos more than ever before. Recognition of the new régime would undoubtedly be followed by negotiations for the loan.

If such a loan should be followed by another revolution, carried through by others eager to spend the money, the recognition of the present régime would have accomplished nothing. The United States, of course, desires Mexico to demonstrate an assured stability before any complete recognition, and yet at the same time desires to accord recognition, if possible, as an aid in the stabilizing process. Whether or not President Wilson does actually recognize the government of President Obregon, it will not be long before the critics of the Mexican policy of the United States during the last eight years will have the opportunity of showing how much they can improve upon it. Even though a reasonably stable government is achieved and recognized in Mexico before next March, there will be a considerable period of readjustment after that time, when the new administration will have to be more alert than ever. The public will be glad to watch and aid in the development of any policy that will mean real progress in the relations between the two countries.

### Artless Roadside Marketing

IF THE farmers who have been making a practice of selling fruits and vegetables to motorists who pass their way wish to make a lasting success of that sort of trading they will probably do well to consider carefully the word of advice that was spoken the other day by R. J. McFall, of the Massachusetts Agricultural College Extension Service. Mr. McFall is convinced that simple methods are the ones that will bring the best results, both for the farmer and for the motorist. What this expert says along this line would seem to be, indeed, timely, as claiming attention just when many farmers have shown a tendency to get away from offhand showing of their wares, choosing rather to attempt some permanent means of display, like the building of a small shop or a specially constructed shelter. But "fancy stands" are not the thing, as Mr. McFall sees the matter. Buying in shops is just what the motorist has to do in the city. The shop, or fancy stand, is out of keeping with marketing at the farm, and Mr. McFall would have the farmers stick to the old-fashioned farm surroundings and appearances. An old kitchen table, in front of an unmistakable farmhouse, will make a better stand for roadside selling than any kind of shop or shelter that suggests something apart from a real farm.

The wisdom of this advice lies in its recognition of the economic fact that only by keeping down the overhead expenses can the seller afford to dispose of his goods at moderate prices. That not much "overhead" is involved in the display of fruits and vegetables on an old kitchen table, set up just where the patch of doorway grass merges in the highway, is so obvious that even a speeding motorist can appreciate it. If he is really interested to lay in a stock of farm products at fair prices, he will stop there rather than at some farm where a more elaborate display may have been made, say behind the open windows of a tidy little shop.

That the farmers themselves have not all given more weight to this consideration is doubtless due to the effects of the period of inflation through which the country has been passing. Many classes of people in the United States have been unusually well supplied with ready money within the last year or two. So far as they have used it to buy automobiles, they have increased the number of motorists constantly traveling the highways who have been in a mood to buy whatever might strike their fancy without much haggling over the price. It is the motorist of this sort who must be counted on, for the most part, to support the fancy stands that figure in roadside marketing.

But this sort of motorist is not likely to be so numerous hereafter as he has been in the recent past. Things are becoming more normal. Motorists who interest themselves in roadside buying for the next few seasons are likely to be increasingly attracted by reasonable prices. They will be much readier to pay the farmer for displaying his apples and sweet corn on an old kitchen table than on anything that costs more to maintain. And they will tell their friends where to find any farmer who has treated them, as they will perhaps put it, right.

Mr. McFall realizes this. He realizes that roadside selling is not likely to be a gold mine for any farmer during a period of falling prices, even if it has seemed to be very near something of the kind while prices have been tending upward. He is trying to make the farmers see that roadside marketing has a reason for being, even though prices are coming down. He wants the farmers to build up their roadside marketing on sound lines. And just what does this mean? Simply that there is a possible saving for both the farmer and the purchaser when the city man drives out to the farm, buys what he needs, and carries it back to town with him. The city man has saved for the farmer the cost of trucking the goods into the city, and perhaps the cost of doing business through a commission merchant. The city man has made the transaction a side issue of his pleasure trip out into the country, spending no more for gasoline in bringing home his fruits and vegetables than he would have had to spend merely to take a ride. Business on sound lines means that the farmer must see to it that the motorist benefits by enabling the farmer to dispose of his products cheaply. The farmer must at least share the saving if he expects to make roadside marketing an enduring success. It is not enough for him to charge his visitor topnotch city prices and then try to argue him into believing that the freshness of the products makes buying worth while. That theory has been already too often exploded. Mr. McFall thinks the farmer can well afford to split the difference between the city wholesale price and the city retail price in selling his products in the front yard of the farm. Certainly not less than that is likely to build up his roadside business in normal times.

### Clifford's Inn

"YEARS ago I remarked to Hewson, 'What a wonderful book could be written about Fleet Street!' We had just left Groom's. 'Yes, if you will leave out Dr. Johnson.' 'The Hamlet of Fleet Street?' 'No, no, the Polonius. He should be kept behind the arras. A book on Fleet Street minus the Doctor, and Nell Gwynn and Will Waterproof, and Mrs. Salmon's Waxworks, and Nando's, and Dick's might be worth reading.' 'But what is left?' 'Ah, my young friend, stand still. Here! This is Clifford's Passage.' So does Wilfred Whitten in his delightful book, "A Londoner's London," launch out into a description of Fleet Street in the City of London in the forties and fifties of the last century, when the newspaper offices were "the seasoning and not the dish" in this street of the ready writers. And he goes on to tell how the street has changed, to gossip delightfully, through his friend Hewson, of the old shops, long since disappeared; of the picture and print shops, the silversmiths' and the ironmongers'; of the lace and veils that might be had at Spare's, where Barclay's Bank now stands; of the "cosy confectioners'" close to Bride's Lane; of Wraithman's shawl warehouse, for it was the age of shawls; of the milliner's at the corner of Bouverie Street; and of the maps that might be had at Crutchley's, at the Daily Chronicle Office corner.

But most interesting of all, perhaps, is the recollection of Button's cookshop, at the entrance to Clifford's Passage; how it curved round the corner with lots of window panes, through which the passer-by might look and see the barristers "gulping soup" and otherwise hastily consuming all manner of victuals. Well, Button's has long since disappeared, but Clifford's Passage still remains, and anyone who may pass through the gateway from Fleet Street will, within a moment or two, have left all the roar of the traffic behind, and be walking over cobbled pavements, amidst the mellow buildings and old-world quiet of centuries ago. Not that Clifford's Inn, centuries ago, was a very quiet place. Indeed, of the Nine Inns of Chancery, Clifford's was, perhaps, the most frequented. And certainly in the days when all six attorneys of the famous or rather infamous Marshalsea Court had their chambers there, there must have been much going back and forth, much discussion, and much business of a very vigorous nature. But then that kind of thing was expected at Inns of Chancery as at the Inns of Court, and no one seemed to be disturbed by it. That "respectable gentleman," for instance, as one authority styles him, Mr. G. Dyer, found no difficulty in writing his History of Cambridge University here, although directly beneath him was a firm of Marshalsea attorneys, forever wrangling and shouting, when they were not stamping some one or other of the interminable writs for which Clifford's Inn was notorious. And here to visit Mr. Dyer, on occasion, would come Sir Walter Scott, Southey and Talfourd, Lamb and Coleridge, the last two, perhaps, especially, for was not Mr. Dyer himself an old Blue Coat boy, who had gone to Cambridge as a Grecian?

However, there were of course many lulls in the storm, many long hours when the chirping of the sparrows would be the only sound wafted through the open windows from the court below. And that is very much like what Clifford's Inn is most of the time today, at any rate it seems so after the rush of Fleet Street. Just now the inn is calling attention to itself because it is going to be

sold, or a part of it is, the old hall and a certain portion of the inn itself. But then, that is no new experience for Clifford's Inn. Six hundred years ago Clifford's Inn was the town house of the Lords Clifford, and Edward III it was who first let it to the "students of law." The attorneys had a long tenure, but in recent years the inn has been sold and resold several times. The coming and going of owners, however, makes little difference to Clifford's Inn. There is no thought of sweeping it away or of changing the old hall which has been put to so many and various uses through the centuries.

### Editorial Notes

WHILE foreshadowing new liquor legislation in the next session of the Quebec Legislature, the Premier made it clear that no measure for total prohibition would be brought forward. In reviewing the present situation concerning the control of the liquor trade in the Province, he declared that it had tried everything, total prohibition excepted, and had finally adopted a wine and beer régime, "which, thanks to the license taken and not to the licenses granted, has made our Province a veritable oasis in the North American desert." Perhaps the Province of Quebec will some day wake up to the fact that if the liquor traffic is an evil, and the Premier practically admits that most of North America considers that it is, then there is not the slightest use in tinkering with it. Total prohibition is the only right way out.

THE BOARD OF EDUCATION of the City of New York is announced to be carrying on "one of the most interesting educational experiments on foot" in the way of "vocational testing." By this method, girls from the eighth grade of the elementary schools are taken to "testing rooms" for two weeks, where they are subjected to specially prepared tests in hand-sewing, power-machine operating, bookkeeping, English, and what not. At the end of the two weeks they are standardized, given their ratings, and thus presumed to be acquainted with their special aptitudes, so that they may turn to a vocation without time wasted in indecision. While the usefulness of such methods, in many cases, will be superficially exemplified, yet the tendency of an age of efficiency to reduce human capacity to the hard and fast lines of the catalogue and card-index is accompanied by a constantly recurring demonstration of the fact that human beings are neither mechanical contrivances nor mathematical formulae, and cannot be regulated as such.

THOSE who have noted the increasing interest of South American athletes in the Olympic Games this year may have noticed, also, that Y. M. C. A. representatives have played a leading part in developing that interest. As the Y. M. C. A. has spread through the countries to the south it has carried with it everywhere a wholesome interest in clean games and sports. It has helped to organize tournaments, meets, and leagues, like those common in North America. There is, therefore, nothing surprising in the discovery that Y. M. C. A. men have been representing South America in the important conferences that have taken up the affiliation of South American countries with the world program for Olympic meets, or that a well-known Y. M. C. A. man, Jess T. Hopkins, has been nominated by the World's Olympic Committee as technical director of the South American Olympic Games that are to be held in Rio de Janeiro in 1922.

It is not only the hand that rocks the cradle, but also the woman who sees after the potato, that holds sway over the nations, and Miss Breeze, who has been called the Potato Queen, in England, has many loyal subjects among cooks of all classes. It is not that she wields the wooden spoon herself, but she enables others to do so with success by producing, by crossing, the right potato for the pot. It is calculated that she must have crossed a million flowers to arrive at her successful varieties. Miss Breeze is a Bachelor of Science, and a handy woman at the same time, as she arrived at her present exalted position by offering to hoe potatoes for Mr. Biffen, at Cambridge, England, he having discovered her genius for hybridizing, which she brought to perfection at the Cambridge School of Agriculture.

THE efforts being made in certain quarters to control and curtail the "drives" for charitable purposes which occur, with ever increasing frequency, in the towns and cities of the United States, is very just and very welcome. Bird S. Coler, Commissioner of Public Charities of New York City, who is prominent in investigating the question, and has recently been able to lay most valuable information before Congress, declares that amongst those organizations he charges with having "utilized the funds gained thereby for purposes other than those professed," were at least two of the largest philanthropic organizations in the country. Quite apart from such considerations, however, the very idea of a "drive" for charitable purposes is, fundamentally, a contradiction in terms.

It is difficult to believe that Mr. H. G. Wells could ever have been a boy, or, if he has been, that he ever attended one of Messrs. Maskelyne and Cook's entertainments, because he says that Communism is "ruling quite honestly and pluckily in Russia, and yet, in so many matters, like a conjurer who has left his pigeon and his rabbit behind him and can produce nothing whatever from his hat." If the ordinary conjurer acted in this way, the ordinary boy would be tempted to put his pluck to the test and measure his honesty with an indifferent egg or an overripe orange, if a pea-shooter was not handy.

MR. ASQUITH, in a speech at East Islington, in advocating drastic reforms in economy, said he had been told that at the Ministry of Health there were six superintendent charwomen and seven deputy superintendent charwomen. He did not add that if asked to reduce the staff the Ministry would exclaim, "But we must have a scrubbing brush!" in the same way that the bankrupt Duke of Buckingham, when advised to dispense with four still-room maids, whose duty it was to make tea and cakes, replied, "Hang it all, a man must have a biscuit."